

AFFIDAVIT
NUMBER 31.

MILITARYS.

GOLD BRONCH
WAKELINE
TOOHY

MASTERS

WHEELER
& RUANI

Justice ASHLEY.

←

ACCOMPANYING AFFIDAVIT (31)

IN THE COUNTY COURT OF VICTORIA AT MELBOURNE AP-16-1957

IN THE MATTER of an application under section 54 of the Vexatious Proceedings Act 2014

BETWEEN

THE ATTORNEY GENERAL FOR THE STATE OF VICTORIA

Plaintiff

And

BRIAN WILLIAM SHAW

Defendant

MINISTERS GOUS BRADY / WAKELINE / TOOHEY
MASTERS WHELAN - EVANS - JUSTICE ASHLEY

Date of Document:	14 DEC. 2016	Solicitors Code:	N/A
Filed on behalf of:	The Applicant	Telephone:	
Prepared by:	Brian William Shaw	DX:	N/A
		Ref:	N/A

I, Brian William Shaw, c/- of PO Box 800 Werribee Victoria do state and affirm the following:-

I. I STATE THAT THIS AFFIDAVIT EXHIBITS AN AFFIDAVIT AFFIRMED 7 JUNE 2004 (17 PAGES) BY MYSELF. IN RELATION TO JUDICIAL CORRUPTION WITHIN VICTORIA INCLUSIVE OF THE VICTORIA POLICE.

Brian Shaw M. Brown 1/2

2. The Judicial Officers mentioned

HEREIN ARE —

- A. MAGISTRATE GORDON BROWNE (5 DECEMBER 2001)
- B. MAGISTRATE WAKELINE (" ")
- C. MAGISTRATE TOOHY (3 APRIL 2002)
- D. MASTER WHILLER (1 MAY 2002)
- E. MASTER EVANS (" ")
- F. JUSTICE ASHLEY (7 MAY 2002)

3. POLICE — VICTORIA POLICE PROSECUTOR ELLIS.

4. MAGISTRATE WAKELINE DID CONDUCT
HEAR HEARINGS UNDER OUR PROCESS WITH
PROCEDURAL FAIRNESS.

AFFIRMED BY Burton

AT Geelong

DATE fourteenth day of December 2016

WITNESSES Clemson

CARMEL CLEMSON JP
3/84 HAMILTON STREET
GISBORNE 3437
JUSTICE OF THE PEACE FOR VICTORIA
REG. NO 12355

I/2

IN THE SUPREME COURT OF VICTORIA.

AT MELBOURNE. COMMON LAW DIVISION.

No 5350 / 2002.

MAG.COURT ACT. Section 92. Supreme Court Rules 77.05.

BETWEEN. BRIAN WILLIAM SHAW. Appellant.

And

C. GILSENAN. (Vic.Police.) Defendant.

AFFIDAVIT B.W.SHAW.

Concerns Magistrate Toohey: Master Evans: Justice Ashley.

Date of Document: 7 June 2004

Filled on behalf of Appellant.

Prepared by Appellant.

I, Brian William Shaw, 280 Leakes Road, Truganina, do state and affirm the following:

1. THAT, this matter originating out of a traffic offence, was originally heard in the Werribee Magistrate's Court on December 5. 2001. The matter was part heard on that day by two different Magistrates. Magistrate Goldsbrough and Magistrate Wakeling. The matter was part heard and rebooked for April 3. 2002.



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2. THAT, when the matter came before Magistrate Toohey on April 3, 2002, Magistrate Toohey refused and declined to give any legal attention to the Defence rendered.
3. THAT, the Defence rendered concerned the unlawful condition of the Victorian Constitution and the unlawful involvement of Freemasonry in that Constitution. Both these statements are supported by the fact that two State Constitutions are currently in legal position, namely the 1975 Constitution Act and the 1855 Constitution Act. In the 1855 Constitution Act, Clause 24 of this Document deals with Oaths to a Foreign Power or Prince. It is this Clause and Act that I take this legal stand upon.
4. THAT, I stated to Magistrate Toohey that the Road Safety Act 1986 was unlawful because of the unlawful condition of the Victorian Constitution Act 1975, that is because of the legal fact that the Victorian Parliament had no legal authority to repeal the former Constitution Act. Neither did it do so, it only pretended to do so.
5. THAT, I also stated to Magistrate Toohey that the next legal process concerning Defence to this charge would take me into the Masters Court of the Supreme Court, under Section 92 of the Magistrate's Court Act.
6. THAT, I also pointed out to Magistrate Toohey, that the Master assigned to hear the incoming matter would be Master Wheeler, who is an admitted High Ranked Freemason, who has taken Extra-Judicial Oaths, in breach of Section 151 of the Evidence Act 1958.



7. THAT, I also pointed out to Magistrate Toohey that the taking of an Extra-Judicial oath is unlawful, but, the penalty for this offence is uncovered in the Crimes Act Section 316, Unlawful Oaths. Such penalty is indictable.

8. THAT, it is at this point the legal dilemma occurs if, the High Court of Australia rules that the Victorian Constitution Act 1975 is invalid, then Clause 24 of the 1855 Constitution Act is valid and to be applied. If the High Court of Australia rules that the 1975 Constitution Act is valid then under the law, that all are equal to the law, both the Evidence Act and Crimes Act are currently valid and are to be obeyed by all, inclusive of the Judiciary, which at present assumes that Christian Law will tolerate Masonic Law taking over the entire Law.

9. THAT, I also pointed out to Magistrate Toohey, that People both within and without the Judicial System were committing indictable offences, inclusive of the Werribee Masonic Lodge, but, the Court, represented by Magistrate Toohey was refusing and declining to act against the offenders, thereby committing an indictable offence under the same Act, Crimes Act 1958, Section 316.

10. THAT, I did state to Magistrate Toohey the legal fact concerning the concealing of a revealed indictable offence was in itself an indictable offence that the Court had entered into, inclusive of both Judicial Officers present, namely Magistrate Toohey and Police Prosecutor Ellis.



11. THAT, I pointed out to the Court that they were attempting to deal with a traffic offence, and failing to correctly hear the defence nor to deal with the indictable offences revealed during the course of the two hearings concerning this matter.
12. THAT, I appealed Magistrate Toohey decision, under a Question of Law, Section 92, Magistrate's Court Act, to the Supreme Court, State of Victoria, after transcribing the remainder of what had not been erased from the Court supplied audio tape of the Magistrate's proceedings. It is noted in this affidavit that interfering with a Court transcript is also an indictable offence.
13. THAT, during the course of the two Magistrate's hearings, December 5. 2001 and April 3. 2002, I had made mention of the fact that this matter would find its way to the Masters Court of the Supreme Court, State of Victoria, where the matter would be heard by Master Wheeler, a high ranked Freemason, allegedly with a seat on the Supreme Council of Freemasonry.
14. THAT, the matter was booked for Court 3, Wednesday May 1. 2002, in Master Wheeler's Court, but, on the morning of the appearance the matter was moved into Master Evan's Court.
15. THAT, Master Evans did not hear the matter in any manner that would resemble a fair hearing, but, rather after a few brief questions, declined the application and asked his Associate Liz Fletcher, to close and clear the Court.




16. THAT, before Master Evans rose to vacate the Court, I did request a final question, this was permitted. My question was direct: " Are you yourself a Freemason ".
17. THAT, Master Evans declined the question, but, did state that he had taken a Judicial Oath, he went no further concerning Extra-Judicial Oaths or Allegiances.
18. THAT, on the basis of the reply, it is reasonable to assume, and that is all that I am doing here, that Master Evans is also a Freemason. On that assumption it is fair and reasonable to assume that Master Evans heard his own matter, which makes the hearing a nullity according to Law.
19. THAT, it is within the normal code of legal practise to seek disclosure from sitting Magistrates or Judges concerning any direct or indirect involvement in the matters that are brought before them or their Courts.
20. THAT, it is fair and reasonable to expect truth and honesty in disclosure, without the matter moving into the shadowed world of Masonic secrets, passwords, signs etc.
21. THAT, within our Courtroom structure and System, it is impossible to conduct Courts, or to maintain Law and Order, where two Systems, Two Governments, Two Constitutions, Two Laws, Two opposing Oaths, co-exist.



22. THAT, this hearing involving Master Evans was appealed to a single Judge in the Supreme Court within the five day requirement under the Supreme Court Rules.
23. THAT, Justice Ashley heard the matter on May 7. 2002.
24. THAT, Justice Ashley did not take into any account the indictable issues concerning Freemasonry, nor the fact that Master Evans did not disclose, nor the fact that two Constitutions are currently in existence at this present time in the State of Victoria.
25. THAT, Justice Ashley dismissed the Appeal application after commenting at some length concerning the Grand Jury Application October 2. 2001, quoting various portions of the Judgment from that Hearing.
26. THAT, I consider that Justice Ashley had no intention to hear the Appeal according to Christian Imperial Law, but rather applied the Masonic Imperial Law, even though Justice Ashley did state in the Court that he himself is not a Freemason.
27. THAT, I did state to Justice Ashley that President Winneke had no legal right to have heard the Application for Grand Jury, in the first place, considering the fact that his late Father Sir Henry Winneke, is listed in Victorian Hansard, 1975, with the Title, Knight of St John of Jerusalem, the Masonic Catholic Order.



28. THAT, I did state quite clearly to Justice Ashley that Two Constitutions were in current operation, Two Systems of Law and Two opposing Oaths were in existence within the same Court System, such circumstances were both unlawful and illegal, but unfortunately condoned by the Supreme Court of the State of Victoria.
29. THAT, I did state to Justice Ashley that this legal condition could only have occurred by ignoring the Royal Assent stipulations and requirements.
30. THAT, Justice Ashley did quote portion of the Judgment from the Grand Jury Application during October 2001. Such Judgment is unable to be quoted in any Court of Law for the simple fact that the Full Court of the Supreme Court has no authority or jurisdiction to perform the work or function of Grand Jury. They have no legal mandate to proceed beyond the Application. They cannot and must not proceed to examine evidence or examine any witness. The Full Court advanced into the legal role of Grand Jury without any legal authority or jurisdiction to perform that function, thereby making the hearing of the Application a legal nullity, but, attempting to pass the judgment off in the form of a legally binding judgement.
31. THAT, I restate in this affidavit that 5 Judges of the Full Court of the Supreme Court of the State of Victoria have no legal mandate whatsoever to proceed to do the legal work of 23 men of Grand Jury. Their only legal unction under Section 354 of the Crimes Act 1958 is in the formal role of receiving an affidavit that reveals an indictable



offence. If the affidavit does not reveal an indictable offence then the application would be rejected at the Office of the Court of Appeal, it would not proceed to a hearing before the Full Court.

32. THAT, because of the fact that I am a Christian which is my right with God and my legal heritage according to the laws of this Country, I am personally and legally opposed to the purposes, functions and oaths of Freemasonry because they are totally contrary to the revealed will and purposes of God the Father revealed both by the Holy Spirit and by the Scriptures.
33. THAT, the central hub of the legal and biblical dilemma centres around the structure of the City of London and the Corporation of the City of London. Every Christian Church in Victoria and Australia with an ABN or ACN Number incorporated or not, gets its legal authority to function from the legal heritage derived from England or rather the City of London or Corporation of the City.
34. THAT, It is my understanding that this City or Corporation is a separate Sovereign State within England with an elected Lord Mayor who is during the period of Election the Monarch of the City or Corporation.
35. THAT, it is my understanding that specific law becomes law, that is specific Acts of Parliament, such as Constitution Acts after receiving Royal Assent, which must involve and include the House of Commons, House of Lords and Monarch.



36. THAT, it is also my understanding that the Monarch of England, is not the Monarch within the City or Corporation of the City of London. The elected Lord Mayor of the City of London is the Monarch of the City of London. Such legal dilemma automatically presents a Superior Authority where the Monarch of England is concerned and mocks Royal Assent requirements.
37. THAT, it is my understanding that the Committee of the City of London or Corporation of the City in legal terms otherwise called the Crown would be composed almost entirely of Knights Templars, the high rank of York Rite Freemasonry. Such Committee may or may not include Members of the Knights of Malta, or Order of St John of Jerusalem, the Masonic Catholic York Rite.
38. THAT, this City or Corporation has three distinct arms. A Financial Arm, a Legal Arm and Spiritual Arm, which on the surface must involve and include the Bank of England and the Church of England, but, also involve and include each and every Church in Victoria and Australia because of the legal ownership by the City of London or Corporation of the City, via the Federal and State Constitutions.
39. THAT, in consideration to the fact that the City of London legally outranks the purported Monarch and that the City of London may or may not also be the Corporation of the City of London, the largest Corporation on the face of the earth, with the legal right to administer all forms of Corporation Law, including and inclusive of the Churches, and the distribution of certain types of money and credit, via the



Banking Concept of Fractional Reserve Banking and Electronic Transfer, in other words the Supreme Authority on Trade and Commerce or the right to Buy or to Sell, or to live or die, the following Scripture places a critical and foundational warning into position for every Christian, not just those Christians currently sitting under English Law, who are at this moment in time being illegally transferred into European Law, which in reality and in a certain period of time will be revealed to be the resurrection of the Roman Empire throughout Europe. Charlemagne resurrected.

REVELATION 13.15/18:

" And he had power to give life unto the image of the beast, that the image of the beast should both speak, and cause that as many as would not worship the image of the beast should be killed. And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads. And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name. Here is wisdom. Let him that hath understanding count the number of the beast: for it is the number of a man; and his number is Six hundred threescore and six ".

40. THAT, by Treaty such as the Treaty of Utrecht, Treaty of Vienna, Treaty of Versailles, Treaty of Rome, Treaty of Maastricht, Treaty of Amsterdam such Treaty now evolved into the Treaty of Nice, which has legally linked into The Single European Act 1986, such Act today has effectively destroyed all English Law, such as Magna Carta, the Petition of Rights, the Bill of Rights and the Act of Settlement and placed into



legal position The Single European Act 1986 sweeping away all former rights liberties and laws, without the informed consent of the People of Victoria or Australia, who are legally bound to the English Law via the 1855 Victorian Constitution Act and the 1901 Commonwealth Constitution Act.

41. THAT, the Maastricht Treaty confirms European bureaucratic supremacy over more than 70 policy areas, including taxation, monetary policy, education, immigration, judicial policy, health and safety, industrial policy, competition, regional policies, overseas aid, energy and consumer affairs.
42. THAT, the European Commission and Parliament are transforming the European Union into a Federal Constitution, sovereign over every aspect of British Democracy.
43. THAT, the Treaty of Maastricht, as an irreversible and Internationally enforceable treaty, has put an end to the sovereign prerogative of Parliament, and has placed democracy, civil liberty and national assets in the hands of the European Court of Justice. The European Court of Justice is the final arbiter on matters relating to European Law and has the power to overrule National, Sovereign Laws where these conflict with European aims. Judgements of the Judges of the Court of the European Communities in Luxembourg have been set above those of the once highest Appellate Court in the House of Lords.



44. THAT, in the European Union the supreme powers of State and Government are in the hands of the Commissioners. This Executive body of the Union meets in secret and initiates Legislative proposals, some of which are put to the Council of Ministers. They are neither democratically elected nor under the direct control of elected Politicians. They make decisions by majority vote, and are not accountable to any other body. The Council of Ministers is the law-making body and also meets in secret, again taking decisions by majority vote. For the 350 million citizens of the European Union, all the decisions are taken by 50 people, 15 heads of State and government, 15 Ministers in Councils of Ministers, and 20 European Commissioners; they are accountable to no one for their functions.
45. THAT, this legal challenge before the Courts concerns my legal right to self defence according to law. If the International Masonic Lodge intends to infiltrate Imperial Christian Law and replace that well won Law with European Masonic Law, then they must be prepared to be confronted in Court, to either justify their Masonic purposes, agenda and oaths, or to be found to be in breach of the law of the Land and of God the Father.
46. " Behold our secret; If in order to destroy Christianity, all religion, we have pretended to have the sole true religion, remember that the end justifies the means, and the wise ought to take all the means to do good which the wicked take to do evil. This can be done in no other way but by secret associations, which will by degrees, and in silence, possess themselves of the Government of the States, and make use of



these means for this purpose, which the wicked use for attaining base ends. The express aim of this order was to abolish Christianity, and overthrow all civil Governments. (Adam Weishaupt. May 1. 1776.)
Source:" The Committee of 300 " Coleman. Preface xii.

47. THAT, the content and ramifications of this matter must be given back to the People of the State of Victoria, in the first instance via Grand Jury and in the second instance via a State Trial in the interest of Public Justice, Peace, Order and good Government. The matter requires a State Trial in the State of Victoria, in the same manner that England conducted the Trial of the Seven Bishops in 1688, leading to the Glorious Revolution whereby law for the People was enshrined without a shot having been fired in anger or retaliation.

48. Crimes Act 1958. Victoria. Act No 6231/1958.

Section 314. Perjury.

Section 316. Unlawful Oaths.

Section 321. Conspiracy to Commit an Offence.

Section 321M Attempt.

Section 323. Abettors in Indictable Offences.

Section 325. Accessories.

Section 326. Concealers of Offences.

49. Section 316. (2) (a) (vii).

Not to reveal or discover any unlawful association society or confederacy or any illegal act done or to be done or any illegal oath



or engagement that may have been administered or tendered to or taken by himself or any other person or the import of any such oath or engagement:

Shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment. (5 years maximum)

50. Victorian Government Constitution Act Clause 24. 1855.

If any Member of the Legislative Council or Legislative Assembly shall, for One entire Session thereof, without the Permission of the said Council or Assembly, as the Case may be, fail to give his attendance in such Council or Assembly, or shall take any Oath or make any Declaration or Acknowledgement of Allegiance, Obedience or Adherence to any Foreign Prince or Power, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor, within the meaning of the Laws in force within Victoria relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter or be attainted of Treason, or be convicted of Felony or any infamous Crime, or become non compos mentis, his Seat in the said Council or Assembly, as the Case may be, shall thereby become vacant.

51. Old and New Testament Scripture states:

a. Isaiah Chapter 5.20/23:

Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet,



and sweet for bitter! Woe unto them that are wise in their own eyes, and prudent in their own sight! Woe unto them that are mighty to drink wine, and men of strength to mingle strong drink. Which justify the wicked for reward, and take away the righteousness of the righteous from him!

b. Zechariah Chapter 5.3/4:

Then said he unto me, This is the Curse, that goeth forth over the face of the whole earth: for every one that stealeth shall be cut off as on this side according to it; and every one that sweareth shall be cut off as on that side according to it. I will bring it forth, saith the Lord of hosts, and it shall enter into the house of the thief, and into the house of him that sweareth falsely by my name: and it shall remain in the midst of his house, and shall consume it with the timber thereof and the stones thereof.

c. Zechariah Chapter 5.7/8:

And, behold, there was lifted up a talent of lead: and this is a woman that sits in the midst of the ephah. And he said, This is wickedness. And he cast it into the midst of the ephah, and he cast the weight of lead upon the mouth thereof.

d. Luke Chapter 11.20/21:

And again he said, Whereunto shall I liken the kingdom of God? It is like leaven, which a woman took and hid in three measures of meal, till the whole was leavened



e. Micah Chapter 7.8/10:


Rejoice not against me, O mine enemy; when I fall, I shall arise; when I sit in darkness, the Lord shall be a light unto me. I will bear the indignation of the Lord, because I have sinned against him, until he plead my cause, and execute judgment for me: he will bring me forth to the light, and I shall behold his righteousness. Then she that is mine enemy shall see it, and shame shall cover her which said unto me, Where is the Lord thy God? mine eyes shall behold her: now shall she be trodden down as the mire of the streets.

52. THAT, the purpose, agenda and oaths of Freemasonry are contrary to the Law of God and the Law of the Land. Victorians need and require a State Trial to settle this issue, but, the Trial must be based on Biblical Principles, the alternative clearly appears to be that we become subject to the Laws of the European Union and the European Court of Justice without our informed consent.

52. Old Testaments Scripture states:

Zechariah Chapter 4.6:

Then he answered and spake unto me, saying, This is the word of the Lord unto Zerubbabel saying, Not by might, nor by power, but by my spirit, saith the Lord of hosts.



53. This Affidavit is Re Affirmed from the lodged original July 2002
The contents are the same only the Date, Format, Spelling and
Grammar mistakes have been altered

Affirmed by Brian William Shaw. 

 *Mr. Mellens*

At ~~Werribee~~ on the *7th* Day of June 2004.

In the State of Victoria

Before me 

A JUSTICE OF THE PEACE FOR VICTORIA
REG. NO. 9203
JOAN F. HARTLAND
6 ANDREW ST. FOREST HILL 3131