

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

THE ANZ EXECUTORS and TRUSTEE COMPANY
LIMITED (AS THE TRUSTEES OF THE ESTATE
OF JOHN WILLIAM SHAW, DECEASED

Respondent

10

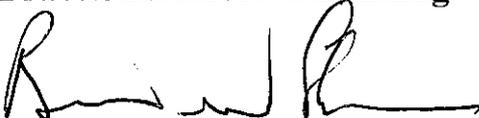
AFFIDAVIT IN SUPPORT
Fractional Reserve Banking

Date of document: 5th MAY 2013
Filed on behalf of: The Plaintiff
Prepared by: Brian Shaw
Address: C/- P.O.Box 800 Werribee
Victoria, 3030
Tel: 0487 195 522
No 11.

20 I, Brian William Shaw, care of P.O. Box 800, Werribee, 3030 in the State of Victoria do state and affirm the following:

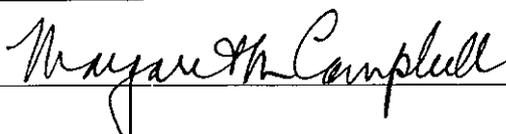
That this affidavit exhibits the affidavit affirmed by the applicant on 23 May 2012 plaintiff / applicant revealing "Fractional Reserve Banking". This is linked to the Commonwealth Constitution at Section 51 and all subsections relating to Banking and / or Corporations inclusive of foreign Corporations; it is also linked to Section 3AA Crimes Act 1914 Commonwealth.

30 Exhibit is marked; "Fractional Reserve Banking".

AFFIRMED BY: 

AT: WERRIBEE IN THE STATE OF VICTORIA

THIS 5th DAY OF MAY 2013.

BEFORE ME: 

**IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL AND EQUITY DIVISION**

No: 7640 of 2009

BETWEEN:

BRIAN WILLIAM SHAW

Plaintiff

and

**ANZ EXECUTORS & TRUSTEE COMPANY LIMITED
(as Trustees of the Estate of JOHN WILLIAM SHAW, (deceased))**

Defendant

**AFFIDAVIT IN SUPPORT
"FRACTIONAL RESERVE BANKING"**

Date of Document	23 May 2012
Filed on behalf of	Brian William Shaw
Prepared by	Plaintiff C/o PO Box 800 Werribee Victoria 3030 Phone 0487195522

I, Brian William Shaw, C/o PO Box 800 Werribee Victoria 3030, do state and affirm the following:

1. That the exhibit to this Affidavit is chapter 2 extracted from a book titled "The Most Secret Science" by A. E. Roberts. Exhibit is marked "Fractional Reserve Banking"

Affirmed by Brian Shaw 

At WERRIBEE in the State of Victoria

This 23rd Day of May 2012

Before me 

A JUSTICE OF THE PEACE FOR VICTORIA
Reg. No. 9924
Margaret May Campbell
7 Muirhead Cres, Werribee 3030



IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL AND EQUITY DIVISION

No: 7640 of 2009

BETWEEN:

BRIAN WILLIAM SHAW

Plaintiff

and

ANZ EXECUTORS & TRUSTEE COMPANY LIMITED
(as Trustees of the Estate of JOHN WILLIAM SHAW, (deceased))

Defendant

EXHIBIT SHEET

This is the exhibit referred to and marked "Fractional Reserve Banking" in the affidavit of Brian William Shaw, Affirmed on the *23rd* day of *May* 2012 at *Werribee* in the State of Victoria.

Before me: *Margaret M Campbell*

A JUSTICE OF THE PEACE FOR VICTORIA
Reg. No. 9924
Margaret May Campbell
7 Muirhead Cres, Werribee 3030



"Fractional Reserve Banking"



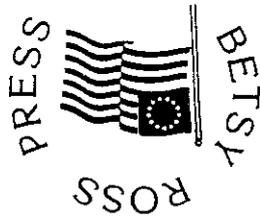
**THE
MOST
SECRET
SCIENCE**

The most secret knowledge, a science which outdates history, is the science of control over people, governments and civilizations. The foundation of this ultimate discipline is the control of wealth.

by Archibald E. Roberts, LtCol, AUS, ret, Director
Committee to Restore the Constitution, Inc.
a Colorado non-profit organization

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Fort Collins, CO 80522

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Archibald E. Roberts, LtCol, AUS, ret.

TWO

"If Congress has the right to issue paper money, it was given them to be used by themselves, and not to be delegated to individuals or corporations."

ANDREW JACKSON

OUTLAW THE FED ARIZONA LEGISLATORS PETITION PRESIDENT AND CONGRESS

United States facing economic debacle of massive proportions due to arbitrary and capricious control of nation's money by private banking interests, say lawmakers.

Charging that the Federal Reserve Act of 1913 was imposed on the people of Arizona in violation of Article I, section 1, Constitution of the United States, the Arizona State Senate, on 1 March 1982, voted 18 to 11 for adoption of House Concurrent Memorial #2002, urging the President and Congress to restore control of the nation's economy to the People.

House of Representative members had, three weeks earlier, passed the historic petition by a 'booming' 51-0 vote.

Representative D. Lee Jones, principal sponsor and chief lobbyist for HCM #2002, noted that Article I, section 8, Constitution of the United States, provides that only the Congress is authorized to, ". . . borrow Money on the credit of the United States," and, ". . . to coin Money and regulate the Value thereof."

Federal legislative agencies are prohibited from transferring these vital powers to private banking interests, he said.

Adorned with the names of sixty-eight co-sponsors (49 Representatives and 19 Senators) House Concurrent Memorial #2002 declares that the Congress of the United States is, ". . . without authority to delegate any powers which it has received under the Constitution of the United States established by the People of the United States."

Being unconstitutional, the Federal Reserve Act of 1913 must be put down.

Arizona lawmakers further direct that the Secretary of State transmit copies of the memorial to the President of the United States Senate, the Speaker of the House of Representatives of the United States, and to each Member of the Arizona Congressional Delegation.

Lawmakers in other states, reports Rep. Jones, ". . . have contacted me with indications of their interest in the move to oust the International Bankers . . . from our national pocketbook."

Letter of transmittal from Mr. Jones and full text of Arizona HCM #2002, "Urging the President and Congress of the United States to Repeal the Federal Reserve Act," begin on the following page.

STATE OF ARIZONA
 35th LEGISLATURE
 SECOND REGULAR
 SESSION
 HOUSE
 HCM 2002
 Introduced
 January 21, 1982
 Adopted
 1 March 1982

REFERENCE TITLE: Repeal of Federal Reserve
 Act; Memorial

Referred on January 21, 1982

Rules

Introduced by

Representatives Jones, Skelly, Hamilton; Abrid,
 Baker, Barr, Cafero, Carlson, Cooper, Courtright,
 De Long, English, Everal, Goudinoff, Hareison,
 Hartdegen, Hays, Higuera, Hull, Hungerford,
 Jennings, Jewett, Jordan, Kelley, Kenney, Kline,
 Kunasek, Lane, Lewis, Macy, McConnell,
 McElhaney, Meredith, Messinger, Morales,
 Pacheco, Ratliff, Rockwell, Rodriguez,
 Rosenbaum, Sossaman, Thomas, Thompson,
 Todd, Vukcevic, West, Wetraw, Wilcox, Wright,
 Senators Corbet, Gabaldon, Getzwiller, Gonzales,
 J. Gutierrez, Hardt, Hill, Kay, Lindeman, Lunn,
 Mack, Runyan, Sawyer, Steiner, Swink, Taylor,
 Tenney, Turley, Usdane

**A CONCURRENT MEMORIAL
 URGING THE PRESIDENT AND THE
 CONGRESS OF THE UNITED STATES
 TO REPEAL THE FEDERAL RESERVE ACT.**

To the President and the Congress of the United
 States of America:

Your memorialist respectfully represents:

WHEREAS, Article I, section 8, Constitution
 of the United States, provides that only the
 Congress of the United States shall have the power
 "to borrow Money on the credit of the United
 States;" and

D. LEE JONES
 1201 E. ANDERSON AVENUE
 HOENES, ARIZONA 85008



Arizona House of Representatives
 Phoenix, Arizona 85007

March 2, 1982

Colonel A. E. Roberts
 Committee to Restore the Constitution Inc.

P.O. Box 986
 Fort Collins, Colorado 80522

Dear Colonel Roberts:

Good news! After what has seemed to have
 been a long and difficult ordeal of unbelievable
 political reality, our Arizona Senate yesterday
 finally gave our House Concurrent Memorial a
 favorable 18-11-1 vote, after my more
 conservative House of Representatives had
 passed it out several weeks ago with a booming
 51-0 vote (with nine members absent and not
 voting).
 It is becoming increasingly obvious that if our
 1982 Congress had been in power in 1776, our
 Constitution, as it is today, would never have
 been written.

Maybe what ails our country is a near-lethal
 dose of ignorance, aided and abetted by a lot of
 apprehension and/or indifference.
 Enclosed are a couple copies of the HCM 2002
 which, in my estimation, would be more
 acceptable if printed on only one side of the
 paper.
 I shall try to locate some addresses of people
 who have contacted me, with indications of
 their interest in the move to oust the
 International Bankers out and away from our
 national pocketbook.

Sincerely,

D. Lee Jones

D. Lee Jones

State Representative

DLJ:ba

Enclosure

WHEREAS, Article I, section 8, Constitution of the United States, directs that only the Congress of the United States is permitted "to coin Money and regulate the Value thereof;" and

WHEREAS, the Federal Reserve Act of 1913 transferred the power to borrow money on the credit of the United States to a consortium of private bankers in violation of the prohibitions of Article I, section 8, Constitution of the United States; and

WHEREAS, the Congress of the United States is without authority to delegate any powers which it has received under the Constitution of the United States established by the People of the United States; and

WHEREAS, Article I, section 1, Constitution of the United States, provides that "all legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives;" and

WHEREAS, the Federal Reserve Act of 1913 was imposed upon the People of the State of Arizona in violation of the provisions of Article I, section 1, Constitution of the United States; and

WHEREAS, the Federal Reserve Banking System, has threatened the integrity of our government through the arbitrary and capricious control and management of the nation's money supply; and

WHEREAS, the United States is facing, in the current decade, an economic debacle of massive proportions due in large measure to a continued erosion of our national currency and the resultant high interest rates caused by the policies of the Federal Reserve Board; and

WHEREFORE, your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States immediately enact such legislation as is necessary to repeal the Federal Reserve Act.

2. That the Secretary of State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each Member of the Arizona Congressional Delegation.

WASHINGTON STATE LEGISLATORS

MOVE TO OUST INTERNATIONAL BANKERS FROM CONTROL OF NATIONAL ECONOMY

Purported statutory powers of the Federal Reserve System to create and loan money to the government of the United States, and to set interest rates, are major factors in the present inflation and the interest rate crisis, say State lawmakers.

The *Olympia Herald*, 16 February 1982 issue, revealed that Senator Jack Metcalf, Washington State Legislator, has introduced Engrossed Senate Concurrent Resolution No. 127, "...challenging the constitutionality of the delegation of the power to create money to the Federal Reserve System."

"The Federal Reserve System is nothing more than a group of private banks which charge interest on money that never existed," Senator Metcalf declared.

The Metcalf resolution, which has cleared the Senate, asks the U.S. Supreme Court to look at the

Federal Reserve Act of 1913 and see if it is constitutional.

Senate report, "Information Prepared for Washington State Senate in Consideration of SCR #127," and full text of Senator Metcalf's resolution, follow.

INFORMATION PREPARED FOR WASHINGTON STATE SENATE IN CONSIDERING SCR 127

Sen. Sellar: Senator Metcalf, are you contending that inflation and interest rates are directly related?

Sen. Metcalf: Yes, they are. If you are willing to loan money at 5%, but anticipate a 10% inflation rate, you will ask 15% interest instead of 5%. What may be worse, you will fear further inflation so tend to ask a little more just in case. When

expand the money supply. The authority to expand or contract the money supply by changing reserve requirements, given to a private banking system, puts our whole money system in fearful jeopardy.

I would urge you to remember the quote from Thomas Jefferson that I placed on your desks in the last session.

I believe that banking institutions are more dangerous to our liberties than standing armies. Already they have raised up a money aristocracy that has set the government at defiance. The issuing power should be taken from the banks and restored to the government, to whom it properly belongs.

Jefferson emphasized repeatedly that no private bank - whether chartered by the federal or a state government - should ever be permitted to issue currency or control credit; for - once entrusted with such power - they become superior to the nation itself.

Sen. Vogt: Do you contend that we, the people, are paying interest to a private banking system for use of our own government money?

Sen. Metcalf: Yes, and you bring up the most crucial point. I mentioned the creation of "checkbook money" by the Federal Reserve. As these checks from the \$1 billion of newly created money go out all over America, they become our money in circulation. Why are we paying interest to a private banking system for use of our own money? By what logic does any private group collect a tax from the people for the use of our own money? And - remember - the Federal Reserve System, which receives the interest, is allowed to set the rate of interest they receive!

Sen. Lysen: The Federal Reserve Act delegates to the Federal Reserve the power to create money. Are you contending that Congress does not have the constitutional authorization to delegate that power?

everyone anticipates inflation, it is self-fulfilling.

Sen. McCaslin: Reading your Resolution, are you really telling us that the Federal Reserve Banking System is a private banking system?

Sen. Metcalf: Like most Americans, I believed the Federal Reserve was a part of the Federal government. It is not! It is a federally chartered private banking corporation which has by law - not by the Constitution, but by law - been given the power to control and issue the "money" used in the U.S.

Sen. Guess: How does the Federal Reserve create money?

Sen. Metcalf: This will have to be an over simplification; the actual operation is very complicated. However, this is an accurate summary of what happens.

The Federal government is going into debt about a billion dollars a week. Where does that money come from? The government prints a billion dollars worth of interest bearing U.S. Government bonds, takes them to the Federal Reserve, the Federal Reserve accepts them and places \$1 billion in a checking account. The government then writes checks to a total of \$1 billion.

The crucial question is: "Where was that \$1 billion just before they touched the computer and put it in the checking account?" The answer: "It didn't exist." We, the people, allow a private banking system to create money at will - out of absolutely nothing - to call it a loan to our government and then charge us interest on it forever.

Sen. Quigg: Are you saying the Federal Reserve Act gives to the national banking system as a whole the power to create money, in addition to what you have said about the Federal Reserve specifically?

Sen. Metcalf: Yes, the Fractional Reserve System implemented under the Federal Reserve Act of 1913 allows the banking system, as a system, to create money - to

Sen. Metcalf: Now, we are down to the crux of the matter. We are all aware that power granted to a body may or may not be delegated to another body, agency or institution. Our most basic document, the U.S. Constitution, states in Article 1, section 8:

The Congress shall have the power to coin money and regulate the value thereof.

Nowhere is there the slightest hint of authorization to delegate that power even to another governmental institution - much less to a private banking system. That is absolutely outside the most broad interpretation possible.

The Constitution does not grant the authority to delegate the power to create money, and this is the heart of the resolution introduced in the Senate. This resolution, SCR 127, declares it the intent of the State of Washington to

cause an action to be filed in the U.S. Supreme Court challenging the constitutionality of the delegation of power embodied in the Federal Reserve Act of 1913. This action is a matter of monumental importance to the people of this state and of this nation, especially at this time of high interest rates and budget deficits at all levels - federal, state and in the businesses and homes all across this land.

Sen. Fleming: Has there never been an independent audit of the Federal Reserve?

Sen. Metcalf: It does seem incredible, but the Federal Reserve has never been subject to an independent audit. On several occasions, members of Congress and of the U.S. Senate have requested such an audit, but a way has always been found to avoid it.

Our action here must result in that audit.

STATE OF WASHINGTON

47th LEGISLATURE
SECOND EXTRAORDINARY
SESSION

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127

Offered by:

Senators Metcalf, Vognild, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller

WHEREAS, A sound money system is absolutely vital to a free people; and

WHEREAS, Inflation and exorbitant interest rates have historically been not only disastrous to the people but proof of an unsound money system and thus a real threat to established governments; and

WHEREAS, The present rampant inflation and exorbitant interest rates in the American economy are a clear and present danger to the people and to the governments of the State of Washington and the United States of America; and

WHEREAS, The purported statutory powers of the Federal Reserve System to create and loan money to the government of the United States, and to set interest rates are major factors in the

present inflation and the interest rate crisis; and

WHEREAS, Article I, section 8, clause 5 of the United States Constitution grants to Congress the exclusive power "To coin money and regulate the value thereof;" and

WHEREAS, The Federal Reserve Act of 1913 and other acts of Congress purport to delegate to a federally chartered private banking system the authority to create money and to set interest rates; and

WHEREAS, The United States Constitution nowhere authorizes Congress to delegate such power, and

WHEREAS, There has never been an independent audit of the Federal Reserve System;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, the House concurring, that it is hereby the declared intent of the State of Washington to cause to be filed in the original jurisdiction of the Supreme Court of the United States:

(1) An action challenging the Constitutionality of the delegation of the power to create money to the Federal Reserve System; and

(2) An action requiring an independent audit of the Federal Reserve System.

**ONLY SOVEREIGN STATE CAN ACT*
WHEN FEDERAL AGENTS VIOLATE UNITED STATES CONSTITUTION**

Now, we find Mr. Lincoln saying in his first Inaugural Address:

I do not forget the position assumed by some, the Constitutional questions are to be decided by the Supreme Court. Nor do I deny that such decisions must be binding in any case upon the parties of a suit. As to the object of that suit. While they are also entitled to very high respect and consideration in all parallel cases by all other departments of the government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effects flowing from it being limited to that particular case with a chance that it may be overruled and never become a precedent in other cases, can better be borne than the evils of a different practice. At the same time, continues Lincoln, the candid citizen must confess that if the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the instant they are made in ordinary litigation between parties and personal actions, then the people would have ceased to be their own rulers. Having to that extent practically resigned their government into the hands of that eminent tribunal. Nor is there in this view, concludes Lincoln, any assault upon the court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them and it is no fault of theirs if others seek to turn their decision to political purposes.

Now, political purposes, of course, have to do with policy. And if we are to allow members of the Court who have only judicial power, not legislative power, to assume a role of telling us what to do in the legislative area, then we will be doing precisely what Lincoln was warning us against, namely, resigning our government into the hands of the members of the Court.

**Excerpt testimony by Attorney T. David Horton, Counsel, Committee to Restore the Constitution before Kansas State Senate Committee on the Judiciary, hearings on regional governance, Topeka, 23 August 1979.*

U.S. Sup. Ct., Marbury vs Madison, 1803, 2 L ed. 60: 1 Cra. 137: ref Whea: 246 & Wal 601

Now, when it comes to deciding what kind of remedy to apply, again, I think that we can find some interesting and instructive material in considering the conclusions of those who were a little closer than we are today to the framers of the agreement. We have, for example, this passage out of the report of the Kentucky legislature of November 19, 1799, which says:

Whereas the general government assumes undelimited powers, its acts are unauthoritative, void and of no force. That to this contract (that is the Constitution) each state exceeded as a state and is an integral party, its co-states forming as to itself the other party. That government created by this contract was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion and not the Constitution the measure of its powers. But that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself as well of infraction as of the mode and measure of redress.

Now, returning to President James Madison we find in Mr. Madison's report with specific reference to the judiciary and the manner in which we may be departing from the heritage that most

of us have been taught to believe is a good one. Mr. Madison has said in his report:

If the decision of the judiciary be raised above the authority of the sovereign parties to the Constitution (of which Kansas is one) the decisions of the other departments not carried by the forms of the Constitution before the judiciary must be equally authoritative and final with the decisions of that department. However true, therefore, it may be that the judicial department is, in all questions submitted to it by the forms of the Constitution, to decide in the last resort, this resort must necessarily be deemed the last in

relation to the authorities of the other departments of the government, not in relation to the rights of the parties to the constitutional compact, from which the judicial, as well as the other departments, hold their delegated trust. On any other hypothesis, continues Madison, the delegation of the judicial power would annul the authority delegating it, and the concurrence of this department with the others in usurped powers, might subvert forever and beyond the possible reach of any rightful remedy, the very Constitution which all were instituted to preserve.

FEDERAL RESERVE ACT: A CONSPIRACY AGAINST AMERICA

Interest payments (tax money paid to the Federal Reserve System, a consortium of private bankers) are the third-largest component of the Federal budget, after Defense and Social Security, according to the Office of Management and Budget.

The Federal government spent a whopping one-hundred eleven billion, eight-hundred million dollars paying interest on the national debt in the 1983 budget year ending 30 September.

Gannet News Service, "Interest Drains Budget as Federal Debt Grows," 16 November 1983, reported that interest on the national debt is taking an ever-larger share of Federal funds, thirteen point eight percent of all spending in 1983.

The Federal Reserve Act (Act of December 23, 1913; 38 Stat: 251; 12 United States Code section 221 et seq.) is an unauthorized act by Congress, an agency of the sovereign states.

Being illegal, it must be put down by appropriate corrective action by the sovereign states.

Violations of the Constitution inherent in the Federal Reserve Act are illustrated in the following citations:

The Constitution of the United States, Article 1, section 8 provides that only the Congress of the United States shall have the power "to borrow Money on the credit of the United States."

The Federal Reserve Act illegally transferred the power to borrow money on the credit of the United States to a consortium of private bankers, the Federal Reserve Board, in violation of the prohibitions of Article 1, section 8, Constitution of the United States.

The Constitution of the United States, Article 1, section 8, directs that only the Congress of the United States is permitted "to coin Money, regulate the Value thereof, and of foreign coin, and fix the Standard of Weights and Measures."

The Federal Reserve Act illegally transferred the power to coin money, regulate the value thereof, and of foreign coin, to a consortium of private bankers, the Federal Reserve Board, in violation of the prohibitions of Article 1, section 8, Constitution of the United States.

The Constitution of the United States, Article 1, section 1, provides that "all legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The Congress of the United States is without authority to delegate any powers which it has received under the Constitution of the United States, established by the People of the United States.

"The Government should create, issue and circulate all the money and currency needed to satisfy the spending power of the government and the buying power of the consumers."

ABRAHAM LINCOLN

ARKANSAS ACTS ON FED CITIZENS SEEK ESCAPE FROM IMPENDING ECONOMIC DEBACLE

First hearing on Arkansas' House Concurrent Resolution #18, "Urging the Congress of the United States to Repeal the Federal Reserve Act," introduced by Representative Jim Smithson, House Committee on Aging and Legislative Affairs, held 16 February, revealed that the Fed is a private banking cartel.

Pointing to a decision by the United States Court of Appeals, Ninth Circuit, in the case of, *Lewis v. United States*, Archibald Roberts, Lt. Col., AUS, ret., Director, Committee to Restore the Constitution, Inc., charged that, "Federal reserve banks are not federal instrumentalities . . . but are independent, privately owned and locally controlled corporations. . . ."

and,

"Each Federal Reserve Bank is a separate corporation owned by commercial banks in its region. The stockholding commercial banks elect two thirds of each Bank's nine member board of directors. The remaining three directors are appointed by the Federal Reserve Board. The Federal Reserve Board regulates the Reserve Banks, but direct supervision and control of each Bank is exercised by its board of directors."

Congressman Wright Patman, House Banking and Currency Committee, Congress of the United States, said in 1952:

"U.S. Treasury financial report for 1982 placed the Federal debt (money borrowed from the Federal Reserve System) at one trillion, seventy billion, two hundred forty-one million dollars," said Roberts. "Interest paid to Federal Reserve stockholders by American taxpayers on the \$1,070,241,000,000 debt," Roberts stated in his testimony, "is one hundred fifteen billion, eight hundred million dollars."

Charging that the federal debt is a lien on all property, both public and private, in the United States, Roberts said that the Open Market Committee of the Federal Reserve System by determining the course of the U.S. economy by setting interest rates charged by member banks,