

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

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AFFIDAVIT IN SUPPORT

Associate Justices Mukhtar and Daly
24 February 2010

Date of document: *5* MAY 2013
 Filed on behalf of: The Plaintiff
 Prepared by: Brian Shaw
 Address: C/- P.O.Box 800 Werribee
 Victoria, 3030 *No 13.* Tel: 0487 195 522

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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 a four page affidavit affirmed by the applicant on 3 May 2012.

Exhibit is marked; **“Associate Justices Mukhtar and Daly
24th February 2012”**.

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AFFIRMED BY: *Brian W Shaw*

AT: *WERRIBEE* IN THE STATE OF VICTORIA

THIS *5th* DAY OF MAY 2013.

BEFORE ME: *Margaret M Campbell*

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 IN THE COURT OF APPEAL

No. S APCI 2013 0043

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

EXHIBIT

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the ...^{5th}... day of May 2013.

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Before me: Margaret May Campbell

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



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“Associate Justices Mukhtar and Daly 24th February 2012”

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

No: 7640 of 2009

B E T W E E N:

BRIAN WILLIAM SHAW

Plaintiff

and

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

Defendant

AFFIDAVIT

Date of Document	3 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, care of PO Box 800 Werribee Victoria 3030, do state and affirm the following

1. That on the 24th February 2010 at the Supreme Court of Victoria located at 436 Lonsdale Street Melbourne. I did place Associate Justice Mukhtar (formally Barrister representing National Bank in the Walters litigation) under arrest for fraud, treason and misprision of treason. I then left the premises
2. The arrest which remains valid emanated from Mr Mukhtar practicing law within the State of Victoria after the removal of the oath of allegiance from the Legal Practice Act Victoria
3. The allegiance to Her Majesty Queen Elizabeth the Second was removed by an Act of the Victorian Parliament titled "Courts and Tribunals Legislation (Further Amendment) Act 2000" and given enactment on 5th September 2000
4. The consequence and ramification of this unlawful and illegal removal of the compulsory and statutory oath of allegiance to Queen Elizabeth II means that neither Justice Dodds-Streeton or Barrister Muktar in the litigation of National Bank v Walters were legal representative of Her Majesty within Her Majesty's Court in Victoria after 5th September 2000 (the National Bank v Walters matter)



1/4.

5. Associate Justice Daly is defeated by the same legal and constitutional ramifications
6. The Law firm of Aitken Partners situated at 114 William Street Melbourne is defeated by the same legal and constitutional ramifications
7. The ANZ Executors and Trustee Company operating out of Melbourne Victoria is defeated by the same legal and constitutional ramifications
8. There are four Acts created within the Commonwealth of Australia currently attacking the Crown of the United Kingdom and Her Majesty Queen Elisabeth II
 - a. Courts and Tribunals Legislation (Further Amendment) Act 2000 Victoria
 - b. Public Prosecutions Act 1994 Victoria
 - c. Land Act 1994 Queensland Chapter 8 Part 7A (Brigalow + Crown)
 - d. Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA
9. I state in this affidavit that it has been discovered that when referring to "The Commonwealth" or "Commonwealth of Australia" the distinction must be made that the two are entirely different entities
 - a. "The Commonwealth of Australia" as constituted under the Constitution Act 1900 forming the former colonies into Federation governed by a Constitution involving the United Kingdom and the People of Australia
 - b. The Commonwealth of Australia, the Corporation registered in the United States of America with the US Securities Commission
10. The Oath of Office or Oath of Allegiance as required by section 42 of the Commonwealth Constitution and set out in the Schedule of the same Constitution is not the oath of allegiance that neither Kevin Rudd (Prime Minister) nor Julia Gillard (Prime Minister) took. Both altered the compulsory allegiance to the Commonwealth Corporation Allegiance, thereby committing a number of serious indictable offence
11. In relation to John Howard his oath was correct, but, taken during 2004 after the Crown of the United Kingdom and Oath of Allegiance had been removed from law within Western Australia, meaning that his Oath whilst sitting in an invalid parliament was nugatory



12. On 1st January 2004 the purported Governor of Western Australia John Sanderson and purported Attorney General Mr James McGinty enacted "Acts Amendment and Repeal Courts and Legal Practice Act (65 of 2003) WA" by such enactment each man removed /substituted himself into the role and title of Her Majesty Queen Elizabeth the Second, thereby infracting upon the 1688 Bill of Rights (UK) and the Act of Settlement 1700 (UK)

a. **130. *Supreme Court Act 1935* amended**

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead — "the Governor".

b. **125. *District Court of Western Australia Act 1969* amended**

(4) Section 11(1) is amended by deleting "Her Majesty" and inserting instead — "the Governor".

c. **130. *Supreme Court Act 1935* amended**

(10) Section 154(1) is amended by deleting "Her Majesty's" and inserting instead — "The".

d. **130. *Supreme Court Act 1935* amended**

(12) The Second Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and successors" and inserting instead — "the State of Western Australia".

e. **123. *The Criminal Code* amended** (5) Section 609 is amended by deleting "Crown" and inserting instead — "State or the Commonwealth".

13. The Common law element in relation to the criminal offence of Treason is (Breach of Allegiance), additionally the common law element activates where such Treason (Breach of Allegiance) is concealed (Misprision of Treason)

14. The statute law offence of treason is covered by:

- a. The Criminal Code Act 1995 Commonwealth at section 80
- b. Crimes Act 1958 Victoria at sections: 9A, 316, 321C, 322E, 326 (5), 545, 547 and 351

15. The relevant law citations for Treason and Misprision of Treason are:



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- a. R v Casement 1917 Kings Bench Division and Courts of Criminal Appeal (1KB98)
- b. Sykes v Director Public Prosecutions 1962 House of Lords and Privy Council

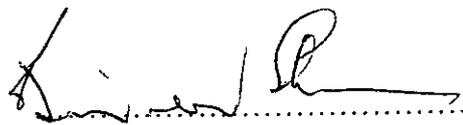
16. In relation to the substituted State or Commonwealth at all times this is the Corporation of the Commonwealth of Australia inclusive of state. It is not the Commonwealth of Australia as cited in the Commonwealth of Australia Constitution Act 1900

17. In simple terms what is discovered is that the purported Government of the Commonwealth of Australia is a Corporation, the purported Government of the State of Victoria is a Corporation, the purported Government of the State of Western Australia is a Corporation, which is the primary reason why all of these constitutional changes have not been permitted to be put before the electorate in statutory referendums – the referendums have been omitted

18. The criminal offences activated and discovered in this litigation are:

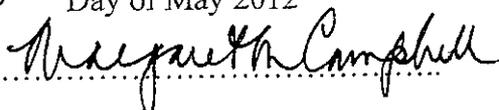
- a. Conspiracy to defraud
- b. Conspiracy to defraud and cheat
- c. Treason (Breach of Allegiance)
- d. Misprision of Treason (Concealment)
- e. Taking and Administering of unlawful oaths
- f. Personal interest for Judge or Magistrate
- g. Compounding offences
- h. Attempting to Pervert the Course of Justice
- i. Concealing for Benefit

Not limited to these offences

Affirmed by 

At WERRIBEE in the State of Victoria

This 3rd Day of May 2012

Before me 

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



A/A