

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

Grand Jury Application
Mr Charles Wheeler
Retired Master, Supreme Court of Victoria
Stamped 5th March 2003

Date of document: *SLW* MAY 2013

Filed on behalf of: The Plaintiff

Prepared by: Brian Shaw

20 Address: C/- P.O.Box 800 Werribee
Victoria, 3030

Tel: 0487 195 522

No 20.

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

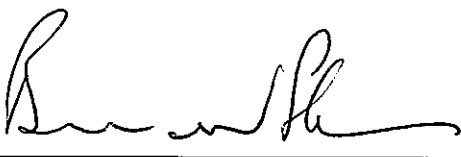
That this affidavit exhibits;

- 30
1. The decline of a Grand Jury application by Mr Phillip L Cain, Registrar Court of Appeal, Supreme Court of the State of Victoria by letter dated 17 March 2003. Exhibit is marked; **“Philip L Cain refusal”**.
 2. The Grand Jury application stamped by the Court of Appeal, Registrar’s Office, dated 5th March 2003. The application includes a nine page exhibit marked; **“Mr Charles Wheeler, 5th March 2003.”**



Page 1 of 2

- 40 3. Affidavit by Brian Shaw dated the 5th March 2003 with eleven exhibits attached.
1. Charge and summons
 2. Affidavit of service.
 3. Letter from Office of Public Prosecutions dated 2 October 2002 and signed by T Heffernan, Associate to the Director of Public Prosecutions, Mr Paul Coghlan.
 4. Letter from Victorian Government solicitor dated 4 October 2002, reference PSC209129; Attention Alison O'Brien and signed by James Syme
 - 50 5. Certified extracts from Melbourne Magistrates Court, signed off by Magistrate B.A. Cotterell on the 8th October 2002.
 6. Witness summons
 - i. Mr M Dowling
 - ii. Mr Barry Reaper
 - iii. Merkin Mason
 - iv. Mr John Kakos
 - v. Mr Francis
 7. Transcript of hearing on 8th October 2002 at the Melbourne Magistrates Court at Melbourne.
 8. Affidavit of Kevin Ekert (former Freemason)
 - 60 9. Affidavit of Robert Browne (former Freemason)
 10. Affidavit of Angelo Bonola (former Freemason)
 11. A short DVD enactment of a Masonic Oath / Obligation.

AFFIRMED BY: 

AT: WERRIBEE IN THE STATE OF VICTORIA

THIS 5th DAY OF MAY 2013.

70 BEFORE ME: 

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

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EXHIBIT

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the⁵ day of May 2013.

20

Before me: Margaret M Campbell

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



“Philip L Cain Refusal”

30

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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EXHIBIT

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the day of May 2013.

20

Before me: Margaret May Campbell

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



30

“Mr Charles Wheeler, 5th March 2003.”

Address all correspondence to:-

The Registrar Court of Appeal
Supreme Court of Victoria
210 William Street
Melbourne, 3000
(Ausdoc 210608)



Registrar Court of Appeal Supreme Court

Located at:-
Ground Floor
Old High Court Building
450 Lt. Bourke Street
MELBOURNE, 3000
Telephone 9603 6031 Fax 9603 6050

17 March 2003

Mr. Brian William Shaw
280 Leakes Road
TRUGANINA 3030

Dear Sir

Re: Application for Grand Jury

I refer to the documents you left at the Registry of the Court of Appeal on 5 March 2003.

The purported Application is generally similar in its content to that returned to you with my letter of 13 February 2003.

In that letter I said –

“Having regard to the observations of the Court of Appeal in Re Shaw (2001) 4 VR 103, in particular at pp.112,113, it is clear that the purported Application is entirely without foundation and I am not prepared to accept it.”

What I then indicated applies equally to the present Application.

I now return all your documents.

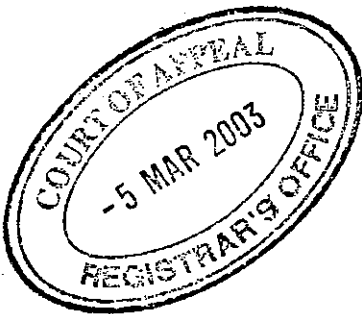
Yours faithfully

A handwritten signature in black ink, appearing to read "Philip L. Cain".

PHILIP L. CAIN
REGISTRAR, COURT OF APPEAL

IN THE SUPREME COURT OF VICTORIA
FULL COURT : CRIMINAL JURISDICTON.

No of 2003.



IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

APPLICATION

TAKE NOTICE that the Full Court of the Supreme Court will be moved on the
Day of 2003 at am by the Applicant for the following
Orders pursuant to Section 354 of the Crimes Act 1958, the Applicant having disclosed
An indictable offence/offences against

Mr Charles Wheeler

Master of the Supreme Court of Victoria

And that a Court has declined or refused to commit the alleged offender, namely: -

Mr Charles Wheeler

1. The Sheriff is ordered to summons a Grand Jury to appear at a Court to be holden at a time and place determined by the Court in accordance with the provision of Section 354 of the Crimes Act 1958 (VIC) to attend at such Court at that time and place to inquire present do and execute all things which on the part of the Queen shall then and there be commanded of them.
2. Such further or other orders that may be just and necessary

DATED The 5th day of March 2003.

This Application is filed by Brian W Shaw.

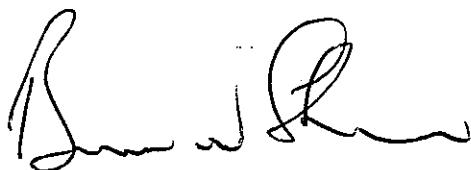
**IN THE MAGISTRATES' COURT OF VICTORIA
AT MELBOURNE**

Case Number Charge Number	Q02054305 3 Charges
Informant, Plaintiff, Complainant or Applicant	SHAW, BRIAN WILLIAM
Defendant/Respondent	WHEELER, CHARLES
How before the Court	CHARGE AND SUMMONS
Nature of charge Criminal Proceeding	Breaches of <i>Crimes Act</i> 1958 1. Unlawful oaths, section 316(2)A(ii)(iv)(v)(vi)(vii)(b)(c) 2. Attempt to pervert the course of Justice section 321M 3. Conspiracy to pervert the course of justice sec 321(1)

AFFIDAVIT

I, Brian William Shaw, of 280 Leakes Rd, Truganina, the Informant in the above named matter, state and affirm the following:

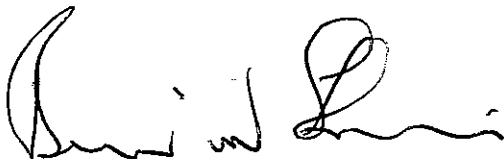
1. I state that according to existing State Law the Organisation and Members The Secret Society of Freemasons by 'taking and administering Masonic Oaths' are committing *indictable offences in breach of Section 316 of the Crimes Act 1958 Victoria*
2. I further state that concerning these charges the primary indictable offence involves '*the taking and administering of unlawful oaths*' in breach of Section 316 of the *Crimes Act 1958*. The secondary indictable offence involves '*attempting to pervert the course of justice*' in breach of Section 321M of the *Crimes Act 1958*
3. I further state that all and every member who has taken a Judicial Oath within the State of Victoria is bound to obey and uphold their Judicial Oath.
4. I further state that every Freemason holding any type or form of Judicial Office or capacity within the State of Victoria is in breach of Section 151 of



1/9
Rayne M Campbell JP

the Evidence Act 1958 State of Victoria. Such section forbids by law the taking of an 'extra judicial oath' and renders the Oath taken or administered 'unlawful', thereby making the breach an indictable offence according to the conditions stated in Section 316 of the Crimes Act 1958.

5. I further state that Members of the Office of the Court of Appeal, Masters Cain and Dowling, Supreme Court of Victoria, in unlawful agreement with the Director of Public Prosecutions, Mr Paul Coghlan and Office and Staff of Public Prosecutions have agreed together to hinder, halt and suppress this legal and lawful Application for a Grand Jury of 23 men chosen from the Electoral Roll to hear and determine 'indictable charges' placed against certain members of Freemasonry involved in both '*taking and administering unlawful oaths*' within the State of Victoria.
6. I further state that the Organisation of Freemasonry is a closed shop to the general public. It is a Secret Society existing within Victoria and reaching across the world. All Masonic members must take specific oaths. Such oaths are taken behind closed doors binding each and every individual to the Masonic Agenda. Such 'agenda' is never to be disclosed to the general public under penalty of death or banishment.
7. I further state that within the State of Victoria, the principle place that these Masonic oaths are taken and administered is in the Masonic Center of Victoria, 300 Albert Street, East Melbourne but, not limited to this particular place within Victoria.
8. I further state that the evidence obtained concerning the taking and administering of these particular oaths comes from my own knowledge concerning the functions and purposes of Freemasonry. From former Freemasons under affidavit, a short video re-enacting one particular Masonic oath.
9. I further state that it is an indictable offence according to Section 316(2)(vii) of the Crimes Act 1958 not to reveal or discover any unlawful association, society or confederacy or illegal act or any illegal oath. '*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*', or
10. I further state that on this legal basis alone, revealed in Section 316(2)(vii), then certain members of the Office of the Court of Appeal, inclusive of the Director and Office of Public Prosecutions are themselves committing an indictable offence in breach of this Section of law by not discovering nor revealing in accordance with the relevant stated section of the Act.



11. I further state that the current Application lodged with the Office of the Court of Appeal for Grand Jury determination (23 men) is not the original matter heard by the Full Court of the Supreme Court of Victoria on October 2, 2001. **This is a new and separate matter.**
12. I further state that the current Application for a Grand Jury hearing concerning Mr Charles Wheeler, a current sitting Master of the Supreme Court of Victoria, is a totally separate matter involving and implicating all Law Benches within the State of Victoria concerning Oaths, in particular, the Supreme Court and Court of Appeal.
13. The breaking of Law by the Law is Judicial Anarchy.
14. This Grand Jury Application concerns Mr Charles Wheeler and reveals indictable offences.
15. On 10 September 2002 I filed a Charge and Summons with the Criminal Registry of the Magistrates' Court at Melbourne.
16. The Charge and Summons was addressed to Mr. Charles Wheeler and served accordingly. An affidavit of service was filed.
17. The following three charges were laid:

Charge 1: Taking and administering of unlawful oaths contrary to Section 316 (2)(a)(ii), (iv), (v), (vi), (vii), (b), (c) of the *Crimes Act* 1958, Victoria.

Charge 2: Attempt to pervert the course of Justice contrary to section 321 M of the *Crimes Act* 1958, Victoria.

Charge 3: Conspiracy to pervert the course of Justice (Conspiracy to Defraud) contrary to Section 321 (Section 321 F), of the *Crimes Act* 1958, Victoria.

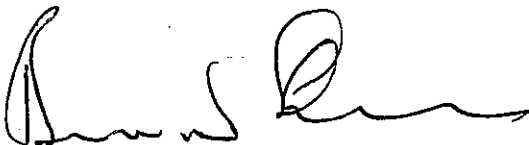
18. The Charges and Summons were taken and sealed by Barry R Johnstone, Registrar of the Magistrates' Court at Melbourne, on 10 September 2002. Mr. Johnstone equally set down the date for the hearing of such charges for 8 October 2002.
19. *Crimes Act* 1958, State of Victoria, Division 7, Unlawful Oaths

Section 316

Unlawful oaths to commit treason, murder etc.

(2) Every person who:

(a) administers or is present at and consents to the administering of any oath or engagement in the



Margaret Campbell JP

3/9

nature of an oath purporting to bind the person who takes it to act in any of the following (that is to say):

- (i) to commit an indictable offence other than treason or murder;
 - (ii) [...]
 - (iii) to be of any association society or confederacy formed for the purpose of doing any such act as aforesaid;
 - (iv) to obey the order and commands of any committee or body of men not lawfully constituted or of any leader or commander or other person not having authority by law for that purpose,
 - (v) not to inform or give evidence against any associate confederate or other person,
 - (vi) 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, or
- (b) takes such oath or engagement not being compelled not to do so, or
- (c) induces or attempts to induce any person to take any such oath or engagement -

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

20. *Crimes Act* 1958, Victoria, Section 321M

Attempt

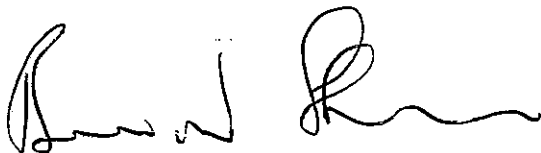
A person who attempts to commit an indictable offence is guilty of the indictable offence of attempting to commit that offence.

21. Section 321 of the *Crimes Act* 1958, Victoria.

Conspiracy to commit an offence

- (1) Subject to this Act, if a person agrees with any other person or persons that a course of conduct shall be pursued which will involve the commission of an offence by one or more of the parties to the agreement, he is guilty of the indictable offence of conspiracy to commit that offence.
- (2) [...].

22. One day before the hearing of the charge and summons I received a letter from the Director of Public Prosecutions who claimed that pursuant to Section 22(1)(b)(ii) of the *Public Prosecutions Act* 1994 the Director had the authority



4/9
Margaret H. Campbell JP

to take the matter over with the intention to withdraw the charges at the hearing on the following day.

23. On 8 October 2002 the hearing was held at the Melbourne Magistrates' Court and Magistrate Cotterell presided over the matter with a second unnamed Magistrate.
24. Magistrate Cotterell permitted the Director of Public Prosecution's application to take over and strike the matter out.
25. During the course of the hearing Magistrate Cotterell asked Counsel representing the Defendant if unlawful oaths were in fact an offence

" is it an offence?"

and the answer was in the affirmative.

26. The legal fact is that not only is the matter an offence but an indictable offence.
27. OBLIGATION (OATH) FIRST DEGREE.

ENTERED APPRENTICE

I,, in the presence of the Great Architect of the universe, and of this worthy and warranted Lodge of Free and Accepted Masons, regularly assembled properly dedicated of my own free will and accord, do hereby (W.M. touches candidates right hand with his left hand) and here on (W.M. touches the Bible with his left hand) sincerely and solemnly promise and swear, that I will always hele, conceal and never reveal any part or parts, point or points of the secrets or mysteries of or belonging to Free and Accepted Masons in Masonry, which may heretofore have been known by me, or shall now or at any future period be communicated to me , unless it be to a true and lawful Brother or Brothers, and not even to him, or them, until after due trial, strict examination, or sure information from a will known Brother, that he or they are worthy of that confidence, or in the body of a just, perfect and regular Lodge of Ancient Freemasons, I further solemnly promise that I will not write those secrets, indict, carve, mark, engrave or other wise them delineate, or cause or suffer it to be done by others, if in my power to prevent it, on anything movable or immovable under the canopy of Heaven, whereby or whereon any letter character or figure, or the least trace of a letter, character or figure, may become legible, or intelligible to



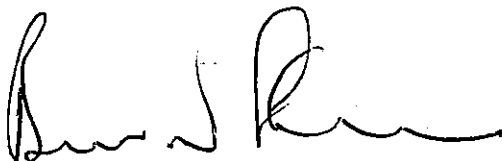
Margaret Campbell ^{5/9} JP

myself or anyone in the World, so that our secret arts and hidden mysteries may improperly become known through my unworthiness, these secret points I solemnly swear to observe, without evasion, equivocation, or mental reservation of any kind, under no less a penalty, on the violation of any of them than that of having my throat cut across, my tongue torn out by the root, and buried in the sand of the sea at low water mark, or a cable's length from the shore, where the tide regularly ebbs and flows twice in twenty four hours, or the more effective punishment of being branded as a willfully perjured individual, void of all moral worth unfit to be received into this Worshipful Lodge, or any other warranted Lodge or Society of men, who prize honour and virtue above the external advantages of rank and fortune. So help me God, and keep me steadfast in this my great and solemn Obligation of an Entered Apprentice Freemason.

W.M. What you have repeated may be considered but a serious promise; as a pledge of your fidelity and to render it a solemn Obligation, you will seal it with your lips on the Volume of the Sacred Law. (The Bible in Australia.)

OBLIGATION (OATH) SECOND DEGREE.
FELLOWCRAFT FREEMASON.

I,, in the presence of the Grand Geometrician of the Universe, and of this worthy and worshipful Lodge of Fellow Craft Freemasons, regularly held and assembled, and properly dedicated, of my own free will and accord do hereby (the Worshipful Master touches candidate's right hand with his left and hereon (Worshipful Master touches the Bible with his left hand) solemnly promise and swear that I will always hele, conceal and never improperly reveal, , any or either of the secrets of mysteries of or belonging to the Second Degree in Freemasonry, denominated the Fellow Crafts, to him who is but an Entered Apprentice any more than I would either of them to the uninstructed and popular world who are not Masons. I further solemnly pledge myself to act and maintain the principles inculcated in the former Degree. These several points I solemnly swear to observe, without evasion, equivocation, or mental reservation of any kind, under no less a penalty, on the violation of any of them, than that of having my left breast laid open, my heart torn there from, and given to the ravenous birds of the air, or devouring beasts of the field as



6/9
Raymond Campbell JP

a prey, so help me Almighty God, and keep me steadfast in this my solemn Obligation of a Fellow Craft Freemason.

Worshipful Master ... As a pledge of your fidelity, and to render this solemn Obligation, which might otherwise be considered, a serious promise, you will seal it with your lips twice on the volume of the sacred Law. (Candidate does so). Your progress in Masonry is marked by the position of the square and compasses, when you were made an Entered Apprentice, both points were hid: in this Degree one is disclosed, implying that you are now in the midway of Freemasonry, superior to an Entered Apprentice, but inferior to that which I trust you will hereafter attain, rise newly Obligated Fellow Craft Freemason.

OBLIGATION (OATH) THIRD DEGREE.
MASTER MASON.

I,, in the presence of the Most High, and of this worthy and worshipful Lodge of Master Masons, duly constituted, regularly assembled, and properly dedicated, of my own free will and accord, do hereby (Worshipful Master touches candidate's hands with his left hand) and hereon, (Worshipful Master touches the Bible with his left hand) most solemnly promise and swear that I will always hele, conceal and never reveal any or either of the secrets or mysteries of or belonging to the Degree of a Master Mason to anyone in the World, unless it be to him or them to whom the same may justly and lawfully belong, and not even to him or them until after due trial. strict examination, or full conviction that he or they are worthy of that confidence, or in the body of a Master Masons Lodge duly opened on the center. I further solemnly pledge myself to adhere to the principles of the square and compasses, answer and obey all lawful signs, and summonses sent to me from a Master Masons Lodge, if within the length of my cable tow, and plead no excuse except sickness or the pressing emergencies of my own public or private avocations. I further solemnly engage myself to maintain and uphold the five points of fellowship in act as well as in word 7 that my hand, given to a Master Mason, shall be a sure pledge of Brotherhood; that my feet shall travel through dangers and difficulties to unite with his in forming a column of mutual defence and support; that the posture of my daily supplications shall remind me of his wants and dispose My heart to successor his weakness and relieve his necessities, so far as may fairly be done without detriment to myself or connections: that my breast shall be the



7/9
Margaret Campbell JP

sacred repository of his secrets when entrusted to my care, murder, treason, felony, and all other offences contrary to the Laws of God and the Ordinances of the Realm being at all times most especially excepted. And finally, that I will maintain a Master Mason's honour and carefully preserve it as my own: if in my power to prevent it; but on the contrary, will boldly repel the slanderer of his good name, and most strictly respect the chastity of those nearest and dearest to him, in the persons of his wife, his sister and his child. All these points I solemnly swear to observe, without evasion, equivocation, or mental reservation of any kind, under no less a penalty, on the violation of any of them, than that of being severed in two, my bowels burned to ashes, and those ashes scattered over the face of the earth and wafted by the four cardinal winds of Heaven, that no trace or remembrance of so vile a wretch may longer be found among men, particularly Master Masons. So help me the Most High, and keep me steadfast in this solemn obligation of a Master Mason.

Worshipful Master, As a pledge of your fidelity and to render this binding as a solemn Obligation for so long as you shall live, you will seal it with your lips thrice on the Volume of the Sacred Law (Candidate does so). Let me once more call your attention to the position of the square and compasses, when you were made an Entered Apprentice, both points were hid; in the Second Degree one was disclosed in this the whole is exhibited implying that you are now at liberty to work with both those points (part).

The first three Masonic Oaths or Degrees are termed Blue Lodge. The above oaths are only the beginning of many more oaths to be taken to be able to advance in the ranks of Freemasonry.

28. All Masonic Oaths are unlawful oaths. No Act of Parliament neither Federal nor State authorizes such oaths. Accordingly the oaths of Freemasonry are in breach of the *Crimes Act* 1958 and constitute an indictable offence. Further the oaths of Freemasonry are unrevealed and deliberately kept secret from the non-Masonic public and all lower ranked Freemasons. No Mason is privy to the oath of the next higher degree.

29. The Exhibits herein attached are:

- (i) Charge and Summons
- (ii) Affidavit of service



- (iii) Letter of Office of Public Prosecutions
- (iv) Letter of Victorian Government Solicitor
- (v) Certified Extracts (3 charges)
- (vi) Witness summonses
- (vii) Transcript of the hearing on 8 October 2002 at the Melbourne Magistrates' Court.
- (viii) Kevin Ekert Affidavit
- (ix) Robert Browne Affidavit
- (x) Angelo Bonola Affidavit
- (xi) Short Masonic Video Re-enactment (Masonic Oath)

Affirmed by Brian W Shaw)



On the ...5th... day of March 2003)

At*Werribee*.....)

Before me:

Margaret M Campbell SP

A JUSTICE OF THE PEACE FOR VICTORIA
 REG. No. 9924
 MARGARET MAY CAMPBELL
 7 MUIRHEAD CRES.
 WERRIBEE 3030

IN THE SUPREME COURT OF VICTORIA

FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:
Filed on behalf of:
Prepared by:

5 March 2003
Applicant
Brian W Shaw
Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (1) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

CHARGE AND SUMMONS

CHARGE AND SUMMONS

Defendant Copy - Bring this with you to Court

Magistrates' Court General Regulations 69/2000 Form

TO THE DEFENDANT		Unsuitable Dates	
MR CHARLES WHEELER 210 WILLIAM ST. MURDOORAH VIC 3000		Preferred Dates	
You have been charged with an offence against the law.		M <input checked="" type="checkbox"/>	F <input type="checkbox"/>
		Co. <input type="checkbox"/>	Date of Birth
		REGISTRATION	STATE
		Licence No.	State

Details of the charge against you

What is the charge? 1 UNLAWFUL OATHS (TAKING AND ADMINISTRATION OF)
PROD FROM MAY 24 2001 - UP TO AND INCLUDING - 26 AUG 2002.
(REFER BALUN)

Under what law? State Art Other - Specify
 C'Vealth Reg

Act or Regulation No. 6231/1958
Section/Clause (Full Part) 316(2) A

Type of Offence Summary Offence (You should go to Court) Indictable Offence (You must go to Court)

Are there more charges? No Yes - see "Continuation of Charges" attached.

Informant: DEAN WILLIAM SHAW Phone No: 9394 1116
Agency and Address: 280 LEARNS RD. TERNANINA VIC 3030
Informant Signature: [Signature] Date: 10.9.2002

Where will the case be heard

Where you must go: The Magistrates' / Childrens' Court of Victoria at MURDOORAH

Address: 235 WILLIAM ST. MURDOORAH Phone No: 9628 7777

When: Time 10AM Day 8th Month OCTOBER Year 2002

Details about this summons

Issued at: Melbourne Date: 10 SEP 2002

Issued by: [Signature] Registrar Magistrate Prescribed Person

Charge Filed at: Betsy R. Johnstone Melbourne Date: 10 SEP 2002
A Registrar of the Magistrates' Court of Victoria

6231/1958 SECTION 316 Clause (2) A
(ii) (iv) (v) (vi)
(vii) (b) (c)

10/09/02 1023 CASHIER.05
SUMMONS MULTI \$55.00

EXHIBIT ~~2~~ (i)

CONTINUATION OF CHARGES

Defendant Copy - Bring this with you to Court

Person Charged MR CHARLES WHEELER	Page No
--	---------

2 **ATTEMPT TO PERVERT THE COURSE OF JUSTICE**
PERIOD FROM MAY 24 2001 - UP TO AND INCLUDING: AUG 26 2002

<input checked="" type="checkbox"/> State	<input checked="" type="checkbox"/> Act	<input type="checkbox"/> Other - specify	Act or Regulation No.	Section or Clause (Full Ref.)
<input type="checkbox"/> CWealth	<input checked="" type="checkbox"/> Reg		6231 / 1958	321 M.

Summary Offence (You should go to Court but you must go if you are on bail) Indictable Offence (You must go to Court)

CONSPIRACY TO PERVERT THE COURSE OF JUSTICE
(CONSPIRACY TO DEFRAUD)
PERIOD FROM MAY 26 2001 - UP TO AND INCLUDING - AUG 26 2002.

<input checked="" type="checkbox"/> State	<input checked="" type="checkbox"/> Act	<input type="checkbox"/> Other - specify	Act or Regulation No.	Section or Clause (Full Ref.)
<input type="checkbox"/> CWealth	<input checked="" type="checkbox"/> Reg		6231 / 1958	321 (1)

Summary Offence (You should go to Court but you must go if you are on bail) Indictable Offence (You must go to Court)

Are there more charges? No Yes - see Page No. 3

Informant **Brian W Shaw**

Agency and Address **280 LEANES ROAD TRUGANINA 3030** Phone **93941116**

Informant Signature  Registrar Signature 

Charge filed at **Melbourne** Date **SEP 2002**

Barry R. Johnstone.
 A Registrar of the Magistrates' Court
 of Victoria

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw

Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (ii) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

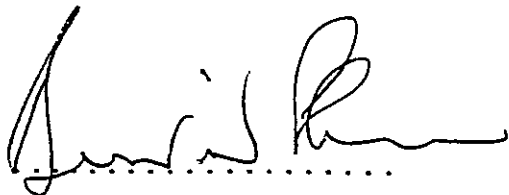
AFFIDAVIT OF SERVICE

AFFIDAVIT of SERVICE.

I, Brian William Shaw, 280 Leakes Road, Truganina 3030, do state and affirm the following :

1. That, I served the Defendant, Mr Charles Wheeler, a copy of Charge, Summons, Affidavit inclusive of a number of attached exhibits, by handing the material to Sally Baker, Masters Court Number 2, Supreme Court, 436 Lonsdale Street, Melbourne at 10.20am September 11. 2002.
2. The Summons was served in accordance with Section 34(1)(b)(ii) of the Magistrate's Court Act No 51/1989.
3. The Charges lodged against Mr Charles Wheeler are three, all from the Crimes Act 1958 Victoria.
 - A. Unlawful Oaths, (both taking of and administering of) Sections 316.(2) A. (ii) (iv) (v) (vi) (vii) (B)(C)
 - B. Attempting To pervert the Course of Justice. S321M.
 - C. Conspiracy to Pervert the Course of Justice. S321(1)
3. The summons lists the Hearing date in the Melbourne Magistrate's Court 233 William Street, Melbourne, for October 8. 2002.

Affirmed by Brian William Shaw.



At WERRIBEE, in the State of Victoria.

This 12th Day of September 2002.

Before me : Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (iii) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

LETTER OF OFFICE OF
PUBLIC PROSECUTIONS



OFFICE OF PUBLIC PROSECUTIONS

565 Lonsdale Street
Melbourne VIC. 3000
Tel: (03) 9603-7666
DX 21 0290

Our Ref No: -
Contact: T Heffernan
Telephone: 9603 7508
Email Address: -
Fax No: 9602 3637

2 October, 2002

Mr B Shaw
280 Leakes Rd
Truganina
VIC 3030

Dear Mr Shaw,

Re Criminal Prosecution instituted by you

I write on behalf of the Director of Public Prosecutions, Mr Paul Coghlan Q.C.

I refer to the criminal charges recently filed by you against Master Wheeler which are returnable at the Magistrates' Court at Melbourne at 10 am on 8 October 2002.

The Director has read material provided to him in respect of this matter.

The Director is not satisfied that the alleged offences are made out, but in any event he would regard Master Wheeler as having judicial immunity from prosecution.

Pursuant to the *Public Prosecutions Act 1994* s.22(1)(b)(ii), the Director of Public Prosecutions has taken over the prosecutions for the purpose of discontinuing each of them.

Yours faithfully,

T. Heffernan,
Associate to the Director of Public Prosecutions.

Exhibit. 20 (iii)

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (10) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

LETTER OF
VICTORIAN GOVERNMENT SOLICITOR



VICTORIAN
GOVERNMENT
SOLICITOR

Your Reference:

When Replying PSC 209129
Please Quote:

Ms Alison O'Brien
Tel: 9651 0408

4 October 2002

Mr Brian Shaw
280 Leakes Road
TRUGANINA VIC 3030

Dear Mr Shaw

Summonses to Master Dowling QC

I act for Master Dowling QC in relation to the two summonses that were issued on 4 October 2002 to produce the following documents:

- The full file lodged by M & J McFarlane for grand jury hearing application;
- The full file of the most recent grand jury application lodged August 28 2002 plus video lodge Mr B Shaw and C Walter.

The summonses were not served personally. It is therefore disputed that personal service, as required, has been properly effected.

Master Dowling QC is a judicial officer. He has no documents meeting the above description in his possession or control. Except where a matter is before a judicial officer, the Prothonotary of the Supreme Court is the officer who has possession and control of court files.

Nevertheless, if the issues of service were overcome and if the documents described above were considered to be in the possession and control of Master Dowling QC, an application would, in any event, be made for the summonses to be set aside on the following grounds:

- (i) they are oppressive and/or an abuse of process; and
- (ii) they are not filed for the purpose of providing relevant evidence at the trial of this proceeding but are a fishing expedition.

James Syme
Victorian Government Solicitor
per:

EXHIBIT (iv)

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw

Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (V) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

CERTIFIED EXTRACTS

CERTIFIED EXTRACT

The Magistrates' Court of Victoria at MELBOURNE

made the following entries

in the register on the 8th day of October 2002

Case Number	Q02054305	
Charge Number	1	
Informant, Plaintiff, Complainant or Applicant	SHAW, BRIAN WILLIAM	
Defendant/Respondent	WHEELER, CHARLES	D.O.B:
How before the Court	CHARGE AND SUMMONS	Fees:
Nature of Charge or Civil Proceeding	Defendant at MELBOURNE from 24/5/2001 to 26/8/2002 did commit a breach of Act 6231.316.2.A.VII FAIL REVEAL/DISCOVER ILLEGAL OATH/ENGAGE	

COURT ORDER

Struckout.
Reason(s):
WITHDRAWN, DPP HAS TAKEN CONTROL OF MATTER PURSUANT TO S22 OF PUBLIC PROSECUTORS ACT AND APPLIED TO STRIKE OUT ORIGINAL CHARGES

B A COTTERELL
MAGISTRATE

PG 1

Remarks

MR LAWRIE

I am a registrar of the Magistrates' Court of Victoria and I certify that in my opinion this information is a true extract from the register of the court at the abovementioned location.

Dated at MELBOURNE this 11th day of October 2002

J. Gordon
JOANNA GORDON
A DEPUTY REGISTRAR
OF THE MAGISTRATES' COURT
OF VICTORIA

REGISTRAR OF THE MAGISTRATES' COURT

CERTIFIED EXTRACT

The Magistrates' Court of Victoria at MELBOURNE

made the following entries

in the register on the 8th day of October 2002

Case Number	Q02054305		
Charge Number	2		
Informant, Plaintiff, Complainant or Applicant	SHAW, BRIAN WILLIAM		
Defendant/Respondent	WHEELER, CHARLES		D.O.B:
How before the Court	CHARGE AND SUMMONS	Fees:	
Nature of Charge or Civil Proceeding	Defendant at MELBOURNE from 24/5/2001 to 26/8/2002 did commit a breach of Act 6231.321M ATT. PERVERT COURSE OF PUBLIC JUSTICE		

COURT ORDER

Struck out.
Reason(s):
WITHDRAWN, DPP HAS TAKEN CONTROL OF MATTER PURSUANT TO S22 OF PUBLIC PROSECUTORS ACT AND APPLIED TO STRIKE OUT ORIGINAL CHARGES

B A COTTERELL
MAGISTRATE

G 1

Remarks
MR LAWRIE

I, a registrar of the Magistrates' Court of Victoria and I certify that in my opinion this information is a true extract from the register of the court at the abovementioned location.

Witnessed at MELBOURNE this 11th day of October 2002

Joanna Gordon
JOANNA GORDON
A DEPUTY REGISTRAR
OF THE MAGISTRATES' COURT
OF VICTORIA

REGISTRAR OF THE MAGISTRATES' COURT

CERTIFIED EXTRACT

The Magistrates' Court of Victoria at MELBOURNE

made the following entries

in the register on the 8th day of October 2002

Case Number	Q02054305	
Charge Number	3	
Informant, Plaintiff, Complainant or Applicant	SHAW , BRIAN WILLIAM	
Defendant/Respondent	WHEELER , CHARLES	D.O.B:
How before the Court	CHARGE AND SUMMONS	Fees:
Nature of Charge or Civil Proceeding	Defendant at MELBOURNE from 24/5/2001 to 26/8/2002 did commit a breach of Act 6231.321.1 CONSPIRE TO PERVERT COURSE OF JUSTICE	

COURT ORDER

Struckout.
Reason(s):
 WITHDRAWN, DPP HAS TAKEN CONTROL OF MATTER PURSUANT TO S22 OF PUBLIC PROSECUT
 IONS ACT AND APPLIED TO STRIKE OUT ORIGINAL CHARGES

B A COTTERELL
 MAGISTRATE

PG 1

Remarks

MR LAWRIE

I am a registrar of the Magistrates' Court of Victoria and I certify that in my opinion this information is a true extract from the register of the court at the abovementioned location.

dated at MELBOURNE this 11th day of October 2002

J. Gordon
 REG
 JOANNA GORDON
 A DEPUTY REGISTRAR
 OF THE
 COURT
 OF VICTORIA

REGISTRAR OF THE MAGISTRATES' COURT

IN THE SUPREME COURT OF VICTORIA

FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:
Filed on behalf of:
Prepared by:

5 March 2003
Applicant
Brian W Shaw
Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (U1) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

WITNESS SUMMONSES

19/11/2002

WITNESS SUMMONS

To the Witness

MR M DWYKING
450 KITTUR BOURKE ST
MELBOURNE

Court Ref: _____

M F Co

Details of the case

Name of person charged (Defendant) MR CHARLES WHEELER
Summary of the charges OFFENCES AGAINST THE CRIMINAL ACT 1958
Who filed the charges (Informant) KRIAN SHAW
Agency and address 280 LIARAS ROAD TRUGANINA VIC
Phone No _____

What you have to do

You must bring this summons with you and:

04/10/02 3832 CASHIER.05
WITNESS SUMMONS *7.00

- * ~~come to Court to give evidence in the proceeding~~
- * ~~come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

- * produce at the hearing the following documents or things that are in your possession or control:
THE FULL FILES OF THE MOST RECENT GRAND JURY APPLICATION LOGGED NOV 28, 2002. Plus. VIDEOS LOGGED LOGGED MR K. SHAW + C. WALTER.

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE
Address 233 WILLIAM ST MELBOURNE
Time 10:00 Date 5th Month OCTOBER Year 2002

Details about this summons

Issued at Melbourne Date 04 Oct 2002

Issued by [Signature] Registrar / Magistrate

Summons filed by (identify party) KRIAN SHAW

OLIVIA HARTNETT
Deputy Registrar

Magistrates' Court

EXHIBIT 20(VII)

WITNESS SUMMONS

APPEAR?

To the Witness

MR. M. DOWLING
450 Little Bourke St
MELB.

Court Ref: _____

(M) F Co

Details of the case

Name of person charged (Defendant) MR CHARLES WHEELER

Summary of the charges OFFENCES AGAINST THE CRIMINAL ACT 1958

Who filed the charges (Informant) KEVIN SPAN

Agency and address 280 LEAKS ROAD TRUCULLINA VIC

BY APPOINTMENT CASHIER.05
WITNESS CLAIMING

*7.00

Phone No _____

What you have to do

You must bring this summons with you and:

- * ~~come to Court to give evidence in the proceeding~~
- * ~~come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

- * produce at the hearing the following documents or things that are in your possession or control:

THE FULL FILE LOGGED BY M + J McFARLANE
FOR GRAND JURY HEARING APPLICATION.

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE

Address 233 WILLIAMS ST MELBOURNE

Time 10:00 Date 8th Month OCTOBER Year 2002

Details about this summons

Issued at Melbourne Date 04 OCT 2002

Issued by [Signature] Registrar / Magistrate

Summons filed by (Identify party) KEVIN SPAN

OLIVIA HARTNETT
Deputy Registrar
Magistrates' Court of Victoria
233 William St. Melbourne

APPEAR

WITNESS SUMMONS

To the Witness

MR BARRY REAPER
300 ALBERT ST
EAST MELB. 3002.

Court Ref: _____

M R Co

Details of the case

Name of person charged (Defendant) MR CHARLES WHEELER

Summary of the charges UNLAWFUL OATHS & ATTEMPTING TO PERJURE The (CONT)

Who filed the charges (Informant) BRIAN SHAW

Agency and address 280 LEAKE ROAD TRUBANINGA 3030.

Phone No _____

What you have to do

You must bring this summons with you and:

- ~~* come to Court to give evidence in the proceeding~~
- ~~* come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

COURSE OF JUSTICE
CONSIDERATION TO PERJURE THE COURSE OF JUSTICE

03/10/02 3607 CASHIER.05

WITNESS SUMMONS

*7.00

- * produce at the hearing the following documents or things that are in your possession or control:

ALL MASONIC MEMBERSHIP Lists in
YOUR POSSESSION OR KNOWLEDGE OF

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE

Address 233 WILLIAM ST MELB

Time 10:00 Date 8th Month OCTOBER Year 2002

Details about this summons

Issued at Melbourne

Date 3 OCT 2002

Issued by J Gordon

Registrar / Magistrate

JOANNA GORDON

Summons filed by (Identify party)
OF THE MAGISTRATES COURT
MELBOURNE

B. SHAW

As per [unclear]

WITNESS SUMMONS

To the Witness

MERKIN MASON
LEVEL 8 35 SPRING ST
MELBOURNE

Court Ref: _____

M F CO

Details of the case

Name of person charged (Defendant) MR. CHARLES WHEELER

Summary of the charges OFFENCES AGAINST THE CRIMES ACT 1958

Who filed the charges (Informant) BRIAN SHAW

Agency and address 280 LEAKES ROAD
TRUCANINA 3030. Phone No _____

04/10/02 3832 CASHIER.05
WITNESS SUMMONS *7.00

What you have to do

You must bring this summons with you and:

- * ~~come to Court to give evidence in the proceeding~~
- * ~~come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

* produce at the hearing the following documents or things that are in your possession or control:

All documents plus video tapes by myself
and currently held by yourself concerning
the inquiry into OATHS and AFFIRMATIONS.

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE
Address 233 WILLIAM STREET MELBOURNE
Time 10:00 Date 4th Month OCTOBER Year 2002
(12th Oct)

Details about this summons

Issued at Melbourne Date 04 OCT 2002

Issued by [Signature] Registrar / Magistrate

Summons filed by (identify party) BRIAN SHAW
Deputy Registrar

WITNESS SUMMONS

Non-Applicable

To the Witness

MR JOHN KAKOS

Court Ref: _____

55 KING ST

MELBOURNE

M R Co

Details of the case

Name of person charged (Defendant) MR CHARLES WHEELER

Summary of the charges OFFENCES AGAINST THE CRIMINAL ACT 1958

Who filed the charges (Informant) BRIAN SHAN

Agency and address 280 LANKS ROAD TRUGANINA 3030
VICTORIA

Phone No _____

What you have to do

04/10/02 3832 CASHIER.05
WITNESS SUMMONS *7.00

You must bring this summons with you and:

- * ~~come to Court to give evidence in the proceeding~~
- * ~~come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

- * produce at the hearing the following documents or things that are in your possession or control:

The ORIGINAL LETTER OR 'COPY OF' THAT YOU WROTE TO MR JUSTICE OF THE PEACE IN THE CITY OF WYNDHAM 27. JUNE 2002.

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE

Address 233 WILLIAM STREET MELBOURNE

Time 10:00 Date 8TH Month OCTOBER Year 2002
(EIGHTH)

Details about this summons

Issued at Melbourne

Date 04 OCT 2002

Issued by [Signature]

Registrar / Magistrate

Signed by (Identify party) OLIVIA HARTNETT
Deputy Registrar

[Signature]

WITNESS SUMMONS

NON-APPEARANCE

To the Witness

M. FRANCIS
U. G. R. S.
167 QUEEN ST MELB

Court Ref: _____

(M) F do

Details of the case

Name of person charged (Defendant) MRI CHARLES WHELEHER

Summary of the charges OFFENCE AGAINST CRIMINAL JUSTICE ACT 1977

Who filed the charges (Informant) RIAN SHAW WITNESS SUMMONS \$7.00

Agency and address 280 Links Road TRUENINGA 3030

Phone No _____

What you have to do

You must bring this summons with you and:

- ~~* come to Court to give evidence in the proceeding~~
- ~~* come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:~~

* produce at the hearing the following documents or things that are in your possession or control:

TRANSCRIPT of GRAND JURY APPOINTMENT HEARD OCT 2, 2001 IN FRONT of 5 JUDGES Full Court Supreme Court (Court of Appeal) ALTERNATIVE - AN AFFIDAVIT of DENIAL/REBUTAL CONCERNING THE TRANSCRIPT

You may produce this summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them no later than 2 days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend. If you are required to give evidence, you must attend at the hearing.

Where will the case be heard

The Magistrates' Court at MELBOURNE
Address 233 WILLIAMS ST MELBOURNE
Time 10:00 Date FRI Month OCTOBER Year 2002
(EIGHTH)

Details about this summons

Issued at _____ Date -4 OCT/2002

Issued by JOANNA GORDON Registrar / Magistrate
A DEPUTY REGISTRAR

Summons filed by (identify party) RIAN SHAW
CENTRAL MAGISTRATES COURT
OF VICTORIA

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked 1F in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

AFFIDAVIT OF ROBERT BROWNE

AFFIDAVIT OF ROBERT BROWNE

1 of 6

Date of Document.
Prepared by.

08 March 2002.
Robert Browne.
21 Glenview Cres
Frankston, 3199
Victoria.

I, Robert Browne, Do state and affirm the following:

1. That I am a freemason in the state of Victoria.
2. Freemasonry is an International organization consisting of basically two rites "The York and The Scottish Rite" up to the 33rd Sovereign Grand Inspector General degree, where members (mostly men) progress through a series of degrees, each of which requires the taking of oaths and the conduct of rituals." In the three degrees that is the Entered Apprentice, Fellow-craft and the Master Mason degrees, all of the oaths in those degrees use the Volume of the Sacred Law (VSL) which is the King James Version of the Bible.
3. I have completed 3 degrees. In those three degree that is the Entered Apprentice, Fellow-craft and the Master Mason degrees 1st, 2nd and the 3rd respectively.
4. During the year 1997, I was initiated into the Masonic Lodge No 323 Kooweerup, as an Entered Apprentice and took an Oath of an Entered Apprentice, which took taking place in the Temple room of the lodge, at Kooweerup. Standing at the door of the Temple room, where I was asked to dress in white clothing supplied by the lodge, various parts of my body were uncovered for various reasons. I was blindfolded, and a Cable-toe/Rope was placed around my neck/throat. A knife was placed at my naked breast. I was asked some questions and then proceeded into the lodge. Once in the Temple Room I was led around by other masons, to various points about the temple, and was asked to take an oath as an Entered Apprentice.
5. Whilst taking the Oath I had no idea who was taking me through it as I was still blindfolded.
6. Both the Evidence Act 1958, Section 151 and the Crimes Act 1958, Section 316 and 321 have been pointed out to me.
7. As a result of being aware that I was unintentionally committing an indictable offence, I have made a decision to resign from Freemasonry.
8. I have become aware that there are differences in Biblical Christianity and the oaths required by Freemasonry.
9. Before a candidate is given the oath of the Entered Apprentice degree, he hears these words from the Worshipful Master:
"Mr. Browne, before you can proceed further in Freemasonry, it will be necessary for you to take an Obligation appertaining to this degree. It becomes my duty as well as pleasure to inform you that there is nothing contained in the Obligation that conflicts with the duties you owe to God, your country, your neighbour, your family, or yourself. With this assurance on my part, are you willing to take the Obligation?"
10. This same question is asked of the candidate before he proceeds with the oath of the Fellow Craft degree, and likewise with the Master Mason degree. But how honest is this statement? According to the Written Word of God, it isn't honest at all, particularly when it comes to a conflict of duties owed to God.


Margaret Campbell JS

AFFIDAVIT OF ROBERT BROWNE

2 of 6

Again you have heard that the ancients were told, 'You shall not make false vows, but shall fulfil your vows to the Lord.' But I say to you, make no oath at all, either by heaven, for it is the throne of God, or by the earth, for it is the footstool of His feet, or by Jerusalem, for it is the city of the great King. Nor shall you make an oath by your head, for you cannot make one hair white or black. But let your statement be 'Yes, yes', or 'No, no': and anything beyond these is of evil.; (Matthew 5:33-37) But above all, my brethren, do not swear, either by heaven or by earth or with any other oath, but let your yes be yes and your no, no; so that you may not fall under judgment. (James 5:12)

11. According to these New Testament passages, we are to swear no oaths at all. But let me point out in particular, one statement from the book of Matthew:

Nor shall you make an oath by your head, for you cannot make one hair white or black. (Matthew 5:36)

Consider the penalties of the oaths:

"To all of which I do solemnly and sincerely promise and swear, without any hesitation, mental reservation, or secret evasion of mind in me whatsoever; binding myself under no less a penalty than that of having...

Entered Apprentice Degree: "...my throat cut across, my tongue torn out, and with my body buried in the sands of the sea at low-water mark, where the tide ebbs and flows twice in twenty-four hours, should I ever knowingly or wilfully violate this, my solemn Obligation of an Entered Apprentice."

Fellow Craft Degree: "...my left breast torn open, my heart and vitals taken thence, and with my body given as a prey to the vultures of the air, should I ever knowingly, or wilfully, violate this, my solemn Obligation of a Fellow Craft";

Master Mason Degree: "...my body severed in twain, my bowels taken thence, and with my body burned to ashes, and the ashes thereof scattered to the four winds of Heaven, that there might remain neither track, trace nor remembrance among man or Masons of so vile and perjured a wretch as I should be, should I ever knowingly or wilfully violate this, my solemn Obligation of a Master Mason."

And the ending for each of these oaths is:

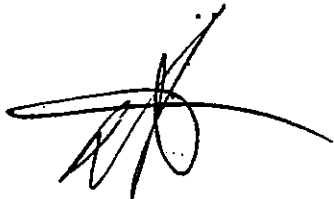
For the 1st degree - "So help me god, and keep me steadfast in this my great and solemn obligation of a Entered Apprentice Freemason.

The Master of the lodge will then say - "As a pledge of your fidelity, and to render this a solemn obligation binding upon you as long as you shall live, you will seal it with your lips on the Volume of the Sacred Law (VSL - which is the King James Version of the Bible).

For the 2nd degree - "So help me almighty god, and keep me steadfast in this my great and solemn obligation of a Fellow Craft Freemason.

The Master of the lodge will then say - "As a pledge of your fidelity, and to render this a solemn obligation equally binding with that in the former degree you will seal it with your lips twice on the Volume of the Sacred Law (VSL - which is the King James Version of the Bible).

For the 3rd degree - "So help me, the most high, and make me steadfast in this my solemn obligation of a Master Mason"



Margaret Campbell JP

The Master of the lodge will then say - "As a pledge of your fidelity, and to render this binding as a solemn obligation so long as you shall live, you will seal it with your lips on the Volume of the Sacred Law (VSL - which is the King James Version of the Bible) thrice.

12. Now, the first thing that should be considered about these oaths is this: The god of the lodge, which is commonly referred to as the Great Architect Of The Universe (GAOTU), is NOT, the True and Living God, who is the Father, Son, and Holy Spirit. Understand full well that the GAOTU is a god that Hindus, Buddhists, and Moslems presumably have no problem at all in praying to Jesus is considered as being no more than a prophet by any of these religions I have named.

13. Further, it is explained, to anyone who asks, that the penalties of the oaths are never intended to be carried out. It is said that they are only there for the express purpose of impressing upon the initiate how important it is that he keep the secrets of the lodge that are imparted to him. This classifies the penalties as being frivolous at best.

14. The challenge that is put before professing Christian members of the lodge is that the god they were swearing the oaths to is the god that is in their hearts. All right, let's give the lodge one point on this one, but only for the sake of argument, forgetting for the moment that the candidate was lied to by the Worshipful Master to begin with.

15. For the professing Christian who is a member of the Order, I would like to offer an answer to that challenge, based on the Written Word of God, in order to show those Masons who claim to be Christians that they are indeed living in sin by even remaining in the lodge, because of the oaths they have taken, if for no other reason.

Or if a person swears thoughtlessly with his lips to do evil or to do good, in whatever matter a man may speak thoughtlessly with an oath, and it is hidden from him, and then he comes to know it, he will be guilty in one of these.

So it shall be when he becomes guilty in one of these, that he shall confess that in which he has sinned. He shall also bring his guilt offering to the Lord for his sin which he has committed, a female from the flock, a lamb or a goat as a sin offering. So the priest shall make atonement on his behalf for his sin. (Leviticus 5:4-6)

16. This is one of three examples of sins requiring a sin offering, under the Law, pertaining to a person's given testimony. This, the third example, which is given in Leviticus 5:4 pertains to being unable to fulfil a rash vow and to speaking "...thoughtlessly with an oath..".

17. God's Written Word, in Leviticus, establishes a prohibition against false swearing and frivolous use of God's name. After all, aren't oaths such as these, additionally, but one more way of using the Lord's name in vain? It is frivolous indeed, to swear to place yourself under a penalty that the lodge readily asserts is totally without substance.

18. Any reasonable "Christian" member of the lodge would have to admit that having his throat cut across, or having his left breast torn open, or having his body cut in half, would certainly constitute being at least the equivalent of changing the colour of a single hair on his head. But since it has already been explained that the intent of the penalties of the oaths is strictly for the purpose of making a point, the vow is a false one, strictly forbidden by Matthew 33.



Margaret Campbell Jr

19. A Christian who takes such oaths is clearly under conviction, both in Leviticus Chapter 5 and Matthew Chapter 5. But at the same time, the Written Word of God shows us that there is indeed a way out of that sin, and that way is Jesus Christ.

20. Leviticus 5:4:

Or if a person swears thoughtlessly with his lips to do evil or to do good, in whatever matter a man may speak thoughtlessly with an oath, and it is hidden from him, and then he comes to know it, he will be guilty in one of these.

Clearly, the first step for a Christian to rid himself of the shackles of such blood oaths is to recognize them for being the frivolous or thoughtless oaths that they are, and to admit that he has indeed sworn an oath to keep certain matters secret that thus far are still not revealed to him. This has been well established, so now we move on to step #2: Leviticus 5:5:

So it shall be when he becomes guilty in one of these, that he shall confess that in which he has sinned.

21. The professing Christian who is a member of the lodge must repent by confessing that he has indeed sinned in the assuming of such blood oaths.. And then, Leviticus 5:6 tells us how, under the Law, we are to offer up a sin offering in order that the priest may be able to make atonement on his behalf for his sin. The same holds true today, but under the New Covenant, this sin offering is handled differently, and this brings us to the very heart of the Gospel:

He made Him who knew no sin to be sin on our behalf... (2 Corinthians 5:21)

Our sinless Lord and Saviour Jesus Christ has already taken our sins upon Himself that we might have redemption, through Him.

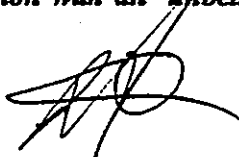
For there is one God, and one mediator also between God and men, the man Christ Jesus, who gave Himself as a ransom for all, the testimony borne at the proper time. (1 Timothy 2:5-6)

22. Careful and thoughtful examination of Leviticus 5:4-6 makes it seem as though it was Freemasonry that God specifically had in mind, You see the sin of the blood oaths you have taken, and you are given the steps to follow to erase the sin. Confess to the sin, pray for forgiveness of the sin, in the name of Jesus Christ, and for His sake.

23. As stated in clause 9 of this affidavit, a Masonic oath is binding, only if you allow it to be. That is my choice. Many members of the Order will tell you how awful it would be for you to betray the oaths you have taken. The Written Word of God tells you how sinful it is that they were ever taken in the first place. Who is right - the members of the lodge who are trying to lay a guilt trip on God, who permits you to confess your sin so that Jesus Christ may truly become your Lord and Saviour?

24. Members of the Order, stumbling in the darkness of the lodge want you to remain loyal and subservient to the GAOTU. God wants you to follow Him. You cannot serve two masters.

Do not be bound together with unbelievers; for what partnership have righteousness and lawlessness, or what fellowship has light with darkness? Or what harmony has Christ with Belial, or what has a believer in common with an unbeliever? Or what agreement has the temple of God with idols? For we are the



Mary Ann Campbell
SP

temple of the living God; just as God said, "I will dwell in them and walk among them; And I will be their God, and they shall be My people. "Therefore, come out from their midst and be separate," says the Lord. "And do not touch what is unclean; And I will welcome you. "And I will be a father to you, And you shall be sons and daughters to Me." Says the Lord Almighty. (2 Corinthians 6:14-17)

25. OLD TESTAMENT: ZECHARIAH CHAPTER 5

Then I turned, and lifted up mine eyes, and looked, and behold a flying roll. And he said unto me, What seest thou? And I answered, I see a flying roll; the length thereof is twenty cubits, and the breadth thereof ten cubits.

Then said he unto me, THIS IS THE CURSE, that goes forth over the face of the whole earth: for every one that steals shall be cut off as on this side according to it; and every one that swears shall be cut off as on this 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 SWEARS 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.

Then the angel that talked with me went forth, and said unto me, Lift up now thine eyes, and see what is it that goeth forth. And I said, What is it? And he said, This is ephah that goes forth. He said moreover, This is their resemblance through all the earth. 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.

Then lifted I up mine eyes, and looked, and, behold, there came out two women, and the wind was in their wings: for they had wings like the wings of a stork: and they lifted up the ephah between the earth and the heaven.

Then said I to the angel that talked with me, Whither do these bear the ephah? And he said unto me, To build it an house in the land of Shinar: and it shall be established, and set there upon her own base.

- 1 The Chapter Reveals A WOMAN Being WICKEDNESS.
- 2 The WOMAN Is Taken To BABYLON: THE WHORE OF BABYLON.
- 3 The Chapter Reveals These Words ' THIS IS THE CURSE '
- 4 Two Conditions: SWEARING FALSELY & STEALING.
- 5 New Testament Christians Fell Into This Curse And Were Killed By God. (Acts Chap5: Annias & Sapphira.)
- 6 All And Every Unrepentant Oath Bound Freemason Works For And Serves This FEMALE Of BABYLON, Revealed In This Chapter. (Such Chapter Is Not Revealed By The Church!)



Margaret M. Campbell
JP

26. In researching Law concerning this alleged traffic offence, I have studied the Formation and History of the Victorian Constitution Royal Assent conditions and the Crimes Act 1958. Accordingly, I have resigned from Freemasonry and renounced all Masonic oaths.

27. I am prepared to defend these alleged breaches of traffic laws based on Constitutional Documents and the unlawful function of Freemasonry.

28. I am prepared to witness the contents of this affidavit.

Affirmed by Robert Browne; *[Signature]*

At Werribee on the seventeenth
of March 2002.

In the state of Victoria

Before me: *Margaret Campbell SP*

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

[Signature]

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw

Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (X-) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

AFFIDAVIT OF ANGELO BONOLA

IN THE SUPREME COURT of VICTORIA.

FULL COURT --- CRIMINAL JURISDICTION.

IN THE MATTER of THE CRIMES ACT 1958.

and

IN THE MATTER of an APPLICATION BY

Brian W Shaw & Carmen Walters.

AFFIDAVIT OF ANGELO BONOLA.

Date of Document.
Filed on Behalf of.
Prepared by.



25 September 2001.
Applicants.
Brian W Shaw.
Box 800. Werribee.
3030. Victoria.

I, Angelo Bonola, 9 Pine Lodge Crt, Templestowe 3106,
do state and affirm the following :

1. That I have been a Freemason in the State of Victoria.
2. During the year 1980, I was installed / inducted in to the Masonic Lodge No 13 Admiral Collingwood.
3. I was installed / inducted into the Entered Apprentice Oath of Freemasonry, such installation taking place in one of the Masonic Lodge Rooms at the Masonic Centre of Victoria, 300 Albert Street, East Melbourne.
4. Standing at the door of the Lodge Room, prior to entering the room, I had to stand dressed in white clothes supplied by the Lodge, one of the legs (of the clothes) was torn open up to the hip.
5. I was blindfolded, a rope placed around my neck and a knife was placed at my throat with words spoken to me.
6. Once in the Lodge room itself. I was led around the room to various points assisted by people standing either side of me. The blindfold was still in position. I could see my feet by looking down.
7. I took the Masonic Oath of Entered Apprentice.

Bush *Margaret Campbell J.*
1/2

8. I have no idea of the identity of the person who took me through the oath. because of the fact that the blindfold was still in position.
9. My involvement with Freemasonry came about through personal contact with Mr Dan Lazar, Darrell Haywood and Mr Green, Masonic Lodge No 13, Admiral Collingwood.
10. On May 10. 2001, I sent a letter to the Masonic Lodge stating that I will no longer be attending and requesting that my letter of resignation be accepted and noted.
11. I have become aware that there is a difference between Biblical Christianity and Oath bound Freemasonry.
12. I have chosen to leave Freemasonry and embrace Christianity.
13. I have been made aware that the oaths of Freemasonry are about to be tested in the Victorian Courts of Law, via the legal facility afforded by Grand Jury, for a breach of the Crimes Act Victoria 1958, Section 316, Unlawful Oaths.
14. I would state that if the law of the land judges Freemasonry or the Oaths of Freemasonry to be indictable, then clearly the Law of God would apply the same judgement in the Higher Court of God.
15. I am prepared to witness the contents of this affidavit before the Grand Jury.

Affirmed by Angelo Bonola.

At *Werribee* on the *twentieth*
of *September* 2001.

In the State of Victoria.

Before me :

Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPSELL
7 MUIRHEAD CRES.
WERRIBEE 3030

IN THE SUPREME COURT OF VICTORIA

FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw

Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (vii) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret M Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

TRANSCRIPT OF HEARING
AT MAGISTRATES' COURT

A

Magistrate "Now your application is simply to withdraw the charges, is that right?"

B.

DPP (female) "Well Your Worship it's firstly to announce, that the Director is taking over the conduct of the prosecution

C.

Magistrate "Yes"

D.

DPP (female) "And secondly to announce that the purpose of that is to, to discontinue yes each of the charges, and that's, that's as far as my instructions go Your Worship, once that's done

E.

Magistrate "Yes"

F.

DPP (female) "And I understand there's no basis for an objection by Mr. Shaw because it's a power that the Director has pursuant to Section 22 Subsection 1 paragraph I'm sorry Subsection 1B paragraph Roman 2, and I can read out that provision Your Worship if it's

G.

Magistrate "Yes you may persist (?)"

H.

DPP (female) "The functions of the Director are, the relevant one here is B. If he or she considers it desirable to do so, to take over and conduct any proceedings in respect of any summary or indictable offence other than proceedings in respect of indictable offence that are consequent on a finding of a Grand Jury under Section 354 of the Crimes Act 1958.
That's not the case here in terms of the Grand Jury, so in my submission, though Your Worship, so once that's been taken on by the Director then he has the discretion"

I

Magistrate "Right"

J.

DPP (female) "of course to discontinue proceedings and that's what he seeks to do,"

K.

Magistrate "Right"

L.

DPP (female) "and once that occurs, I understand, that any subpoenas that have been issued by Mr. Shaw would be set aside, cos he's no longer party to the proceedings."

M.

Magistrate "Right, right, anything more to be said about the withdrawal of the charges."

- A. Defence "Your worship I appear for the Defendant, the, I've obviously no objection to the discontinuance of proceedings. In my respectful submission Mr. Shaw's status now changes from one of Informant to a Non Party in a proceedings but despite that change of status, I make application for costs against Mr. Shaw, on the basis that the court still has with it's, within it's discretionary power the power to award costs against a Non Party if it is satisfied that there is some cogent conduct of the Non Party, in the context of the proceedings that justify the award of costs, under the ordinary, both under the ordinary powers of the Magistrates Court Act, and all also in cases such as Bischof and Adams, I can give Your Worship the full citation of that if you wish, just go straight to it, it's Bistschof and Adams, 1992 Volume 2 of the Victorian Reports of page 198, Your Worship may recall the deposi"
- B. Mr. Shaw "Your honor I object to this"
- C. Defence "You'll you'll get a chance in a minute"
- D. Magistrate "Wait a minute you can't object to at this stage"
- E. Defence "The"
- F. Magistrate "I'm sorry, 1992, 2 VLR at"
- G. Defence "Sorry two Victorian Reports"
- H. Magistrate "Yeah"
- I. Defence "At page 198, that was a case that dealt with a dispute about syndicate rights to a Tattslotto win"
- J. Magistrate "Right"
- K. Defence "And the destruction of a crucial piece of evidence, mainly the Tattslotto ticket itself by the Third Party and Justice Gobbo in that case determined that it was within the courts discretionary power to award costs against that Non Party."
- L. Magistrate "Right"
- M. Defence "And that forms the crux of my submission here Your Worship. That it's clear that on the face of charges as laid, that firstly, they lack any form of particularity, other than there've been a broad bracket of dates, but the specifics of any act is not disclosed, the location is not disclosed indeed Your Worship might like, can not even be satisfied on the charges as framed, that the events are said to have occurred in Victoria.
Charge 3 for example seems to allege two separate charges"
- N. Magistrate "I'm just looking for the charges. Right"

- A. Defence "Charge 3 seems to allege one charge that's, that's heard, then in brackets a completely separate charge, conspiracy to pervert the course of justice, then in brackets conspiracy to defraud."
- B. Magistrate "Yes"
- C. Defence "Which can not conceivably, well they're two offences Your Worship that can't, at least in my mind be listed."
- D. Magistrate "Right"
- E. Defence "But Your Worship I'm, I'm not certain whether or not filed with these charges was an affidavit, but certainly served with the charges was an affidavit which runs to some 23 pages, and it has appended to it certain exhibits. Now Your Worship I don't propose to go through that in great detail, but if it's not on Your Worship's file, well I can certainly hand up my copy of it Your Worship, but safe to say it seems to outline, in Mr. Shaw's mind what is the basis of these allegations and in my respectful submission, even the most generous reading of it even though, even the most exploratory intellectual exercise through this material doesn't come within coo-ee of the allega the very serious allegations that are contained in, well, purported allegations in charges one to three. So again I say that if Your Worship is appraised of that material provides sufficient basis upon which Your Worship may decide that the charges are (a)framed in such a way that their annulity, and if (b)not that the facts alleged, at least at this point, on affidavit can't possibly support them and that the whole proceedings are misconceived, and indeed Your Worship may take, take a step further and consider on the basis of that material that the are brought for an improper purpose, and in saying that, I might draw Your Worships specific attention to paragraphs 39 and more particularly 76A"
- F. Magistrate "I'd like to have a copy of the affidavit"
- G. Defence "Perhaps I'll hand that up Your Worship, it's the appropriate time. Got a spare copy"
-
- H. Magistrate "Is there an offence of taking and administering unlawful oaths?"
- I. Defence "There is Your Worship. It's actually outlined accurately in the affidavit, the relevant section of the Crimes Act. If I can just interrupt to summarize for Your Worship there, it does cover other conduct, but it's essentially oaths to commit indictable offences, sedition, treason and behaviour of that type." X
-
- J. Magistrate "Yes alright, first of all, you're asking me to find that the charges as framed are inadequate and that they're annulity"
- K. Defence "That they were an annulity from the start"

- A. Magistrate "Well I, just a minute, I didn't get through here because the charge seems to be, details of the charge against you, unlawful oaths, taking and administration of, then there are the dates, there's no place actually, but then I've got the Crimes Act Section 316, 2A"
- B. Defence "From my recollection the Crimes Act I've got it in front of me, I can grab it out, that is the correct statutory reference."
- C. Magistrate "Right, so why is that annulity?"
- D. Defence "Because all it does Your Worship is state the offence section, or give a title to the offence created by that section I should say"
- E. Magistrate "Does it say any"
- F. Defence "In the state of Victoria the Defendant did by one or more of the following acts, administer an unlawful oath"
- G. Magistrate "Right"
- H. Defence "It merely gives title to the offence section found in the Crimes Act, alleges a broad range of dates, no facts whatsoever, so it's not"
- I. Magistrate "Can I just say, normally, for example lets take an attempt to pervert the course of justice, in the actual framing of the charge, it's not normal to put the acts that constitute, that attempt, is it?"
- J. Defence "Well I hear what Your Worship says,
- K. Magistrate "Now if you see some of the charges we get here,"
- L. Defence "Mm, and it, well I don't, well I take on board what Your Worship says that it may be amenable to proper particularisation at a later time, or in the form of another document, but, what I say is that if Your Worship considers the material in the affidavit I'm, I'm loathe to ask Your Worship to read it because it's an enormous document, but particularly paragraph 76 and 81, are indicative in my respectful submission of an improper motivation, in the laying of these charges, and so much is said under Mr. Shaw's own hand."
- M. Magistrate "Alright I follow you."
- N. Defence "P'raps I should add just 81 really needs to be read with 80."
- O. Magistrate "Yes alright"
- P. Defence "It's for those reasons Your Worship that I submit that there's a signi, there's an undeniable link between the conduct of Mr. Shaw as a Third Party, sorry as a Non Party in these proceedings, and the commencement and subsequent necessity for the DPP to step in and discontinue the proceedings, and the costs that have been incurred on behalf of my client."

A. Magistrate "Right, what do you want to say about that Mr. Shaw? First of all, are there any other applications for costs?"

B. Male Voice "No I'll observe"
No. 1

C. Magistrate "Or would you like the subpoena set aside, and you'd like to go, you can go"

D. Male Voice "Absolutely Your Worship"
No 1

F. Magistrate "Alright I'll set aside your subpoena and you can go"

F. Male Voice "No it's not worth pursuing the costs or application,"
No 2

G. Magistrate "Now, you wish to set aside all subpoenas?"

H. A. O'Brien "Three subpoenas Your Worship"

I. Magistrate "Three subpoenas"

J. A. O'Brien "Two addressed to,"

K. Magistrate "You, you can go"

L. Male Voice "Thank you"
No 2

M. Magistrate "And I'm sorry you had to wait but I couldn't just do it without looking at the cost"

N. Male Voice "No I understand that entirely thank you."
No 2

O. Magistrate "Yes"

P. A. O'Brien "Two addressed to Master Dowling Your Worship,"

Q. Magistrate "To Master."

R. A. O'Brien "Master Dowling of the Supreme Court 450 Little Bourke street dated 4 October 2002."

S. Magistrate "Yes"

- A. A. O'Brien "And one addressed to Merrin Mason, Merrin spelt M e double r i n, Mason, M a s o n, of, who is the executive officer of the Law Reform Commission, of Committee of Parliament, her address is Level 8 35 Spring Street, and that summons was also dated 4 October 2002."
- B. Magistrate "And you don't have any applications?"
- C. DPP (female) "No Your Worship"
- D. Magistrate "No, well then your also free to leave, thank you. Right, now are you, sorry I don't know your name."
- E. DPP (female) "Miss Cannon"
- F. Magistrate "Oh Miss Cannon. Do you wish to remain for the costs argument?"
- G. Miss Canon "I think it's, P'raps maybe out of courtesy I might do that, it might be that I can assist Your Worship."
- H. Magistrate "Alright, now Mr. Shaw what do you want to say about the matter?"
- I. Mr. Shaw "Your honor, just before I begin, I require a disclosure from yourself concerning Section 151 of the Evidence Act, and I won't read the whole section, but it actually says - it shall not be lawful for any person to administer, or cause, or allow to be received any oath or affidavit touching any matter or thing, where of such person has not jurisdiction or cognances by or under some act or ordinances in force. Now specifically that means that someone sitting on the Judiciary capacity cannot take another oath, other than the Judicial Oath, and that's the crux of this whole matter here. So the disclosure for you, your honor, would be that, have you yourself taken any other oath, other than your Judicial Oath.
- J. Magistrate "Well now I don't quite understand, have I taken any oath,"
- K. Mr. Shaw "Correct, other than your Judicial Oath."
- L. Magistrate "I probably did every time I got married but"
- M. Mr. Shaw "So that's the disclosure."
- N. Magistrate "Yeah"
- O. Mr. Shaw "Thank you, now concerning,"
- P. Magistrate "I don't think, if I, I don't wish to, I'm trying to think."

- Y. Mr. Shaw "But no, that's actually your as this matter unfolds you'll understand why I've asked that question. Now there's two further witness summons not been mentioned which is, I was just needing to understand if those documents had been brought to the court, but the other two were for a John Kakos, for an originating letter, that he wrote to all the JP's in Werribee."
- B. Magistrate "Right"
- C. Mr. Shaw "Now that's John Kakos at 55 King street."
- D. Magistrate "Was that returnable today, that subpoena?"
- E. Mr. Shaw "That was issued on. That was returnable today that's correct, the other one,"
- F. Magistrate "That's been served?"
- G. Mr. Shaw "I beg your pardon?"
- H. Magistrate "Been served?"
- I. Mr. Shaw "Yes, yes, there's an affidavit of service been filed at the registry"
- J. Magistrate "Right, right."
- K. Mr. Shaw "The other one your honor, was for M. Francis, at Victorian Government Reporting Service, 167 Queen street Melbourne, for a transcript, and I'll read the whole context of that one. It was for a transcript of Grand Jury Application heard October 2, 2001, in front of 5 judges, Full Court of the Supreme Court, Court of Appeal, or alternatively an affidavit of denial or rebuttal concerning the transcript."
- L. Magistrate "Yes"
- M. Mr. Shaw "Now in addressing my right of reply"
- N. Magistrate "Well those now are redundant, because if your no longer a party to this, these proceedings, I don't see what you can do about the subpoenas."
- O. Mr. Shaw "Well leave the subpoenas apart at the moment your honor, and I'll just deal with the right of reply."
- P. Magistrate "Right."

D.

Mr. Shaw "Under the section, and I'll re-read it again, that the office of the DPP has intervened on. In Section 22 1B 2, of the Public Prosecutions Act 1994, to take over and conduct any proceedings in respect of any summary or indictable offence other than, proceedings in respect of an indictable offence that are subsequent on the finding of a Grand Jury under Section 354 of the Crimes Act 1958. Now with respect to this court, and that's what I do not want, to be disrespecting, my right of reply is a bit further advanced but, just on that matter there, for the office of the DPP to take over and strike this matter out now, and for you to permit that, would automatically give this matter right of passage to Grand Jury, i.e. that we can put the Defendant in front of 23 men, in this state, according to law."

B.

Magistrate "Men or men and women?"

C.

Mr. Shaw "Men. The Act says, Section 354 of the Crimes Act, and it specifically only says men, the actual Section has never been really worked very much, because I think the time we applied for it, was the first time in 17 years."

D.

Magistrate "So you, you actually applied to have a Grand Jury."

E.

Mr. Shaw "In October of 2 of 2001. Five Judges and if I can just spend a minute on that, because when we did the original application for that and in this situation it wasn't the Defendant but, when we did the original application for it, the whole office of the Supreme Court, of the Court of Appeal, didn't know what to do with the application, because it had been 17 years since one had arrived, so it took a considerable amount of time to go through the researchers etcetera, we just left the application with them. Eventually they said to us, and the co- applicant for that is sitting behind me, Carmen Walter, eventually they said to us, that, we will permit the application on certain circumstances etcetera, file one copy to the office, and three copies for each judge, now that meant that there were only three judges on the bench, of the Full Court, unfortunately after they did their research, they found that the Byrne / Armstrong judgement of 1899 or whatever of the Full Court - six judges sitting, four Agreeing and two Dissenting, had literally taken their power of the three judges, so two weeks after lodging the documents, they then asked for a further two documents, so they could add another two judges to the bench so that, they could overturn the Byrne / Armstrong judgement of 1899, now that judgement simply said four judges of the Supreme Court, Full Court. Can I have a drink of water please? Said that where the affidavit discloses an indictable Offence, the court has no discretionary power but to pass the matter through to the Sheriff to form the Grand Jury of 23 men"

F.

Magistrate "Can I just interrupt a moment, this is a court which deals with Applications, brief Applications and things, I don't know what this is at all, I know nothing about this matter at all, all I can assume is that, is this, your saying that Master Wheeler could not administer oaths, because he's taken some other oath, is that what all this is about?"

G.

Mr. Shaw "No, actually I'll be quite specific in what I'm saying"

- B. Magistrate "Yeah, but what I'm saying is this might have to be booked in for a proper hearing, because, I don't know what other work we've got in here."
- B. Mr. Shaw "Well your honor if I go through the right of reply, which is, I'll do that first, I'll run through this"
- C. Magistrate "Just, just wait a minute before you go on, because if this is going to take two hours I'm not going to here it now in the middle of mention list, unless I know what is going on. I just have to find out what is going on with the we also have four Bail Applications that we have to do, so I'm not.
[quietly speaks to assistant] 4 bail applications I think we'd better get Andrew in here, can you get Andrew in."
- D. Assistant "Sure"
- E. Magistrate "I'll just get the Coordinator in."
- F. Mr Shaw "Your honor, I'm happy to stand down until after lunch."
- G. Magistrate "I know, but I'm not going to get through the four Bail Applications as well, it's, this is just something I think that probably needs to be booked in, but I had no idea it was going to take this long."
- H. Defence "Your worship can I just"
- I. Magistrate "Yes"
- J. Defence "Worship my understanding is, and I don't purport to speak for my learned friend but once the DPP steps in, that's it, end of story. Mr. Shaw's right of reply is in respect of my costs application only, not in terms of the substantive merits or otherwise of the case, as it once existed. I've just received instruction to discontinue the costs application, and in my respectful submission having done that, the matter is dead."
- K. Magistrate Right, Mr. Shaw
- L. Mr. Shaw "Your Honor, I totally object to that, there are two clauses in here in number one, in the functions of the powers of the Director, clause Section 22 of 1B,"
- M. Magistrate "Are you looking at Section 22 of 1B?"
- N. Mr. Shaw "Section 22, 1B, 2"
- O. Magistrate "Yes."

- D. Mr. Shaw "I'll read two sections, the other section is not relevant to this section. To take over and conduct any proceedings in respect of any summary or indictable offence other than proceedings in respect of an indictable offence that are subsequent on the finding of a Grand Jury under Section 354 of Crimes Act 1958"
- B. Magistrate "Right, now is this subsequent on a finding of a Grand Jury."
- C. Mr. Shaw "No what I'm about to say to you"
- D. Magistrate "No, please, just answer the questions, cos I"
- E. Mr. Shaw "No, it will go there, but this is the problem here now, is the next section I'm about to read"
- F. Magistrate "Right"
- G. Mr. Shaw "It's the Section 51, 3 says, on the commencement of this sub-section the Office of Prosecutor for the Queen is abolished and any holder of that Office, goes out of Office, and that's who sent me the letter"
- H. Magistrate "Sorry Section 50, you were going back to the Evidence Act now"
- I. Mr. Shaw "No, I'm still in the very Acts that they've quoted, to take over the matter"
- J. Magistrate "Right"
- K. Mr. Shaw "But in actual fact, on the commencement of this sub-section the Office of Prosecutor for the Queen is abolished and any holder of that Office goes out of Office. Now your honor, that is a direct attack on The Constitution of the State of Victoria and a breach of allegiance to Her Majesty"
- L. Magistrate "Sorry I just, I don't understand this I, you got another copy. Have you got a copy of the Act? Just hand it"
- M. Female Who...
"She's got to knock it on the head."
- N. Magistrate "These are the Provisional, these are the Transitional Provisions 51, 3. This these are the Transitional Provisions to allow for the Appointment of Director, as I understand it."
- O. Mr. Shaw "Your honor, no matter what they do, they're breaching their allegiance, and they're attacking the Victorian Constitution with that Provision, and that Act and that makes it" (the words "an act of treason" removed from the tape)
- P. Magistrate "Well that may be so, but that's not something I can do in this court"
- Q. Mr. Shaw "Exactly, because we've made it a Constitutional issue, with the State of Victoria, which automatically removes the jurisdiction to Federal"

- A. Magistrate "Right, well that will be something else. Alright, so that's what you want to say?"
- B. Mr. Shaw "Yes your honor."
- C. Magistrate "Well, what I'm going to do is strike out, the charges. I'm going to, strike out any subpoenas, and then the argument, if you are making a jurisdictional argument, sorry a Constitutional argument, can't be dealt with here, and you'll have to take this matter up, in some other form, I understand what you're trying to say, but, it's not something that can be dealt with in this court."
- D. Mr. Shaw "No I totally understand."
- E. Magistrate "And the costs application has been withdrawn?"
- F. Defence "That's correct Your Worship."
- G. Magistrate "Well I think that completes the matter"
- H. Defence "Can I just ask that Your Worship might indicate in the other comments field that, in Your Worships order the fact that the proceedings were taken over by the Director pursuant to his power under Section 22 Sub I"
- I. Magistrate "Yes."
- J. Defence "And immediately an application for striking out was brought"
- K. Magistrate "Right."
- L. Defence "Just to reflect the way in which the proceedings were disposed of"
- M. Magistrate "Yeah, I'll put that in."
- N. Defence "Grateful to Your Worship for that."
- O. Magistrate "I'll hand back the Public Prosecutions Act, and, thank you"
- P. Female "If I might be excused?"
- Q. Magistrate "Will I leave this affidavit on file or do you want it back?"
- R. Defence "If Your Worship's happy for it to be handed back, I'll take it back."
- S. Magistrate "I'll need the number for that cos I want to look at it"
- T. Female "If I might be excused"
- U. Magistrate "Yes thank you. Yes you're excused"

A.

Defence "Thank you"

IN THE SUPREME COURT OF VICTORIA
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:	5 March 2003
Filed on behalf of:	Applicant
Prepared by:	Brian W Shaw Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (viii) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at WERRIBEE.

Before me: Margaret May Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

AFFIDAVIT OF KEVIN EKERT

AFFIDAVIT

I, Kevin Haldene Ekert, state and affirm the following:

1. I was a former member of freemasonry and achieved the 32°.
2. To become a member of Freemasonry and to achieve the various degrees or levels, which are characteristic of this organisation, a so-called candidate must take oaths or obligations for the various degrees or levels.
3. The degrees in Australia take two directions, which are either the York rite or the Scottish rite, after the common compulsory completion of the first three degrees of Blue Lodge Freemasonry by either of the Australian States.
4. In Freemasonry, the Oaths are called Obligations and or Vows, which the candidate must swear on the Holy Bible, known as "The Volume of the Sacred law", if he intends to progress with his degrees and to improve within the Higher Degrees of Freemasonry.
5. Although Freemasonry uses the Holy Bible to swear the candidates to secrecy, they are bowing to the false gods of Freemasonry. The Freemasons call their God, the G.A.O.T.U. (Great Architect of the Universe). This is definitely not the Christian's God. Our Lord Jesus Christ condemned the use of these unlawful oaths, even though they may be taken with the best of intentions. The Word of God declares, what goes beyond "yea, yea or nay, nay" (yes or no) is of the evil one.

(a). Matt. 5:33-37, "Again, ye have heard that it hath been said by them of old time, Thou shalt not forswear thyself, but shalt perform unto the Lord thine oaths: But I say unto you, Swear not at all; neither by heaven; for it is God's throne: Nor by the earth; for it is his footstool: neither by Jerusalem; for it is the city of the great King. Neither shalt thou swear by thy head, because thou canst not make one hair white or black. But let your communication be, yea, yea; nay, nay: for whatsoever is more than these cometh of evil."

(b). Zech. 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."
6. A certain ritual surrounds the ceremony of taking each oath or obligation. The candidate with certain body parts made bare must kneel at the altar and place his right hand on the Holy Bible.

7. The oaths or obligations contain specific threats and acceptance of severe penalties, should the candidate ever reveal any secrets given to him concerning Freemasonry.
8. Some of the penalties of the blood-oaths sworn by Freemasons, which have not been removed from the ritual books of Freemasonry:
 - (a). First Degree Oath: (portion only) that of having my throat cut across, and my tongue torn out by the roots ...
 - (b). Second Degree Oath: (portion only) that of having my left breast torn open and my heart plucked there from and given to the ravening birds of the air, or devouring beasts of the field as prey.
 - (c). Third Degree Oath: (portion only) that of having my body severed in two, my bowels taken out and burned to ashes, and those ashes scattered over the face of the earth by the four cardinal winds of heavens.
 - (d). Mark Master Mason's Degree Oath: (portion only) that of having my right ear smote off that I may forever be unable to hear the word, and my right hand struck off as penalty of an impostor.
 - (e). Holy Royal Arch Degree Oath: (portion only) that of having the crown of my head struck off and my brains taken out and burnt to ashes.
 - (f). The Cryptic Council Degree Oath: (portion only) that of having my eyes plucked out, my hands cut off, and my body quartered and then thrown among the rubbish of the temple.
 - (g). Royal Ark Mariner Degree oath: (portion only) that of having my ribs broken and I be overpowered with drowning by the waters and swept off the face of the earth.
9. Equally, the oaths or obligations contain an unqualified allegiance to Freemasonry above all other allegiances.
10. Masonic Oaths or Obligations are unlawful in our Parliament and Courts of Law. Any statute or Act of Parliament does not constitute them.
11. These Masonic Oaths or Obligations are not only illegal in our Parliaments and Courts of Law, but by making affinity with Pharaoh and Egypt, for faithful Christians, these oaths or obligations transgress the Law of God, specifically Zechariah chapter 5; Joshua chapter 23:7; Matthew chapter 5; and James chapter 5.
12. The seat of Government for all the Higher Degrees of Freemasonry, (other than the Blue Lodges) are external to Australia, thereby, becoming a foreign power within our law and Parliament.

13. Section 44 (i) and section 44 (ii) of the Commonwealth Constitution are as follows:
- Disqualification: any person who:**
- (i). Is under any acknowledgment of allegiance, obedience or adherence to a foreign power, or is subjection or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power, or
 - (ii). Is attained of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer, or
 - (iii)... Shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives...
14. Within the walls of every lodge, Freemasonry practices religion, in an intent and purpose.
15. Section 116 of the Commonwealth Constitution.
Commonwealth Not to Legislate in Respect of religion.
The Commonwealth shall not make any law for establishing any religion, or for imposing any religion observance, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.
16. Freemasonry acknowledges a Supreme Being of the Universe and moves through degrees with specific oaths or obligations, using specific ritual to achieve a successful landing in the great lodge above.
17. The oaths or obligations of Freemasonry are tests of allegiance and supremacy in constitutional breach of section 116 of the Commonwealth Constitution.
18. Concerning faithful Christians the practice of oath and ritual of Freemasonry are a forbidden return to Egypt and the discovery of ancient Egyptian secrets.
19. The forbidden biblical marriage of King Solomon of Israel with Pharaoh's daughter, spiritually happens today within the walls of every Masonic Lodge due to the fact that the worshipful Master's chair, situated in the East of every Lodge, is Masonically known as the throne of king Solomon of Israel, the son of King David.
20. **(a)** 1Kings 3:12, "*And Solomon made affinity with Pharaoh king of Egypt, and took Pharaoh's daughter, and brought her into the city of David, until he had made an end of building his own house, and the house of the LORD, and the wall of Jerusalem round about.*"
- (b)** Exodus 20:1-3, "*And God spake all these words, saying, I am the LORD thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me.*"

(c) Isaiah 30:1-3, "Woe to the rebellious children, saith the LORD, that take counsel, but not of me; and that cover with a covering, but not of my spirit, that they may add sin to sin;

And have not asked at my mouth; to strengthen themselves in the strength of Pharaoh, and to trust in the shadow of Egypt! Shall the strength of Pharaoh be your shame, and the trust in the shadow of Egypt your confusion?"

(d) Hosea 8:12-14, "I have written to him the great things of my law, but they were counted as a strange thing. They sacrifice flesh for the sacrifices of mine offerings, and eat it; but the LORD accepteth them not; now will he remember their iniquity, and visit their sins: they shall return to Egypt. For Israel hath forgotten his Maker, and buildeth temples; and Judah hath multiplied fenced cities: but I will send a fire upon his cities, and it shall devour the palaces thereof."

(e) The usage and customs among Freemasons are ever born an affinity to those of the ancient Egyptians (explanation from the first tracing board).

21 Extracts from the first tracing board:

(a) Our Lodges stand on holy ground.

(b) Abraham, King David, and King Solomon are features of the tracing board.

(c) The temple at Jerusalem is pre-eminent.

(d) Our Lodges are situated due East and west, because they are all places of divine worship...

(e) The covering of a Masonic Lodge is a celestial canopy of divers colours. Even as the heavens, we, as Masonic hope, to arrive at the summit by the assistance of a ladder, in Scripture called Jacob's ladder...

(f) This ladder has many staves or rounds, but there are three principal ones, namely, Faith, Hope, and Charity: Faith in the Great Architect of the Universe, Hope in salvation, and to be in Charity with all men.

(g) The universe is the temple of that deity whom we serve.

(h) The furniture of the Lodge consists of the Volume of the Sacred Law (Holy Bible), the Square and Compasses. The sacred writings are rule and govern our faith, and on them we obligate our candidates for Freemasonry, so are the square and compasses, when united to regulate our lives and actions.

22 John 10:1-3, "*Verily, verily, I say unto you, He that entereth not by the door into the sheepfold, but climbeth up some other way, the same is a thief and a robber. But he that entereth in by the door is the shepherd of the sheep. To him the porter openeth; and the sheep hear his voice: and he calleth his own sheep by name, and leadeth them out.*"

23 Three specific high Masonic ranks are Knights Templars, Knights of Malta, and the Shriners.

(a) A Mason must be either a Knight Templar (York rite) or a 32° Mason (Scottish rite) to become a Shriner. Such degree or rank is an oath bound allegiance to Allah the god of the Muslims.

(b) The Knights Templars have their seat of government in Scotland at Rosslyn Chapel, such an allegiance and oath to this Order would

constitutionally breach the Bill of Rights 1689 inclusive of the Commonwealth Constitution section 44 (i) and (ii) and section 116.

Affirmed by Kevin Haldene Ekert
At Ettalong Beach in the State of New South Wales
This 20 day of December 2001.



Before Me



T.M. O'CONNOR
SOLICITOR

IN THE SUPREME COURT OF VICTORIA

FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

EXHIBIT

Date of document:

5 March 2003

Filed on behalf of:

Applicant

Prepared by:

Brian W Shaw

Box 800 Werribee 3030 Victoria

This is the Exhibit referred to and marked (X1) in the affidavit of Brian W. Shaw, affirmed before me this 5th day of March 2003 at

WERRIBEE

Before me:

Margaret M Campbell JP.

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

SHORT MASONIC VIDEO – OATH RE-ENACTMENT