

THE GROUNDS & FACTS

FOUNDATIONS & FACTS

From: - 1 to 82

1. Queen Elizabeth the Second
Sovereign Head of the Knights of Saint John of Jerusalem

Apparently Queen Elizabeth the Second is the sovereign head of the Knights of Saint John of Jerusalem and as such the Constitution of the State of Victoria is fraudulent in that a United Kingdom Monarch purportedly a Protestant Monarch is the sovereign head of an International Masonic Order whose allegiance is to the Bishop of Rome.

2. Statute by Henry VIII 1540
Banning the Knights of Saint John of Jerusalem
Specific Points in the Statute of 1540

- A. Knights of the Rhodes
- B. Knights of St John
- C. Friars of the Religion of St John of Jerusalem in England and Ireland
- D. Contrary to the duty of their Allegiance
- E. Sustained and maintained the usurped power and authority of the Bishop of Rome
- F. Adhered themselves to the said Bishop being common enemy to the King Our Sovereign Lord and to His realm
- G. The same Bishop to be Supreme and Chief Head of Christ's Church
- H. Intending to subvert and overthrow the good and Godly laws and statutes of His realm
- I. With the whole assent and consent of the Realm, for the abolishing, expulsing and utter extinction of the said usurped power and authority

3. The 1688 Bill of Rights (UK)

- A. This particular statute came into existence after the trial of the 7 Bishops in the House of Lords, the jury comprised specific members of the House of Lords -The King v The Seven Bishops
- B. The issue was the King's Declaration that all religions would be open and free within England, but, the Seven Bishops refused to declare the Declaration, stating that such Declaration would attack and destroy the Protestant religion of the Church of England and Laws of England.
- C. The jury ruled in favour of the Seven Bishops, the King fled England and formed and led a rebellion in Ireland against England.
- D. William and Mary assumed the Crown and title and immediately brought the 1688-89 Bill of Rights into legal position in England.
- E. The Statute banned any or all involvement with the Church of Rome or Bishop of Rome.

4. The 1700 Act of Settlement

- A. This particular Statute came into legal position in England because of the pretending King attempting to reclaim the Crown and Title that had been lost in 1688
- B. The Statute restates the purpose and intent of the 1688 Bill of Rights
- C. The Statute is in legal position in the United Kingdom today.
- D. And other issues including the succession.

5. The Two Statutes

The Two Statutes of 1688 and 1700 are the cornerstone of all United Kingdom Law today.

-But –

The Knights of Saint John of Jerusalem, an International Masonic Order are attempting to reclaim the United Kingdom inclusive of Australia.

6. The United Grand Lodge (Freemasonry)

Apparently in 1889 the Grand Lodge of England, the Grand Lodge of Ireland, the Grand Lodge of Scotland united and joined their English, Irish, Scottish and Victorian Constitutions into one.

7. Victoria 1889

Following on from the 1889 United Kingdom Union of Freemasonry the United Grand Lodge of Victoria was formed, Sir William Clarke (Sunbury/Rupertswood Victoria) became the first Grand Master in 1889

8. Queen Victoria 1889

Apparently Queen Victoria became the Sovereign Head of the Knights of Saint John of Jerusalem in 1889 resulting from the union of the various Lodges of Freemasonry, but, to date no statute repeal of the 1540 Statute of Henry VIII is evident.

9. The Masonic Portrait (The Future King)
Dallas Brooks Hall (East Melbourne)

In the foyer of the Dallas Brooks Hall at the Masonic Centre of Victoria in East Melbourne is the portrait of Queen Victoria's son who became the King in 1901. His Royal Highness Albert Edward Prince of Wales, Grand Master, United Grand Lodge of England 1874 to 1901 King Edward VII (1901 – 1910)

10. The Masonic Combination
The Queen and the Son

The Masonic combination of Queen Victoria and the son, the future King, in the period 1889 – 1901 would mean that the Commonwealth of Australia was not a free and democratic Federation, but a concealed Masonic Federation which would explain the paragraph in the Sue v Hill [1999] High Court matter relating to Rhodes Island (paragraph 84).

11. Rhodes Island

Sue v Hill – High Court 1999

Paragraph 84 – portion

“We may miss the old words that were used of Connecticut and Rhode Island: one body corporate and politic in fact and name, but united in a Federal commonwealth under the name of
“The Commonwealth of Australia”
seems amply to fill their place. And a body politic may be a member of another body politic”

12. The Order of Malta

The Government of The Order – The Masonic Order

The full title is:-

Sovereign Military Hospitaller

Order of Saint John of Jerusalem of Rhodes and of Malta

13. The Judicial Dilemma

Sue V Hill 1999 – High Court

Paragraph 36 – portion

“Questions as to “The Common Law of Parliament” would have been drawn in by Section 49 and would fall outside Chapter III.”

Note:

Section 49 Commonwealth Constitution

Chapter III Commonwealth Constitution

14. Sue v Hill 1999 – High Court

Section 44: Commonwealth Constitution

Statutory Referendums Omitted

The ruling in the 1999 matter stated or declared that the United Kingdom was a foreign power to the Laws of Australia with reliance on the Australia Act 1986
But, at all material times the People/Electors were omitted from the relevant decisions – that is statutory and mandatory referendums were not conducted in the 1984 – 1986 period.

15. Sir Henry Winneke

Governor of the State of Victoria
Knights of Saint John of Jerusalem
Masonic Member Grand Lodge

Victorian Constitution

- A. "General Sir Dallas Brooks Governor of Victoria from 1949 to 1963 – was not strong on the intricacies of local constitutional Law – not surprisingly as Victoria, at that time, did not have a Constitution Act of its own but muddled along on a patched up Schedule to the Imperial Act that separated it from New South Wales a century earlier" (at page 176)

Source: *"Above Renown"*

Biography of Sir Henry Winneke

By Robert Coleman

Copyright Herald and Weekly Times Ltd 1988

- B. "At the heart of the dispute was the almost century old British Legislation which separated Victoria from New South Wales in 1854. Victoria did not have a Constitution Act, enacted by its own Parliament until 1975. Before that, the State's Constitution was a Statute of the British Parliament" (page 199)

Source: *"Above Renown"*

Biography of Sir Henry Winneke

By Robert Coleman

Copyright Herald and Weekly Times Ltd 1988

16. The Legal and Constitutional Problem

1889 – 1901 – 1975

The three dates are relevant in the history of the United Kingdom and the Formation of Federation inclusive of the Victorian constitution 1975.

1889 Freemasonry unites in the United Kingdom in particular forms the United Grand Lodge of Victoria

1901 Federation – A Masonic Federation

1975 Victoria's First Constitution – Governor Winneke

17. The Problem – The Allegation

The Victorian Constitution consisted of three documents 1854, 1855 and 1975. The latter one subject to the Constitution of the Commonwealth of Australia – formerly called “Rhodes Island”, Sue v Hill [1999] High Court paragraph 36.

- *But* –

The Knights of Saint John of Jerusalem apparently took back control in 1889, which means by fraudulent deception, Federation and the 1975 Victorian Constitution are “Rhodes Island Documents” which is a concealed Masonic Foreign Power Government.

18. Sir Henry Winneke

John Winneke (Son of Henry)

Michael Winneke (Son of Henry)

Alex Chernov

A. During 2001 five Judges heard a Grand Jury Application against Freemasonry Victoria, the Application was refused

– But -

B. Prior to the actual hearing the Constitutional Notice 78B Judiciary Act 1903 involved the validity or invalidity of the 1975 Constitution document reserved by Henry Winneke as Governor, but, also a Knight of Saint John of Jerusalem.

C. The President of the Court of Appeal (Full Court) was John Winneke, the principal Judge at the 2001 hearing, his brother Michael Winneke was his Associate.

D. Both Henry Winneke and Michael Winneke (son of Henry) are Masonic Grand Lodge Freemasons.

E. Alex Chernov

Alex Chernov was one of the five Judges in 2001. Today he is the Governor of the State of Victoria, but, also a Knight of Saint John of Jerusalem or in simple terms, represent the Government of the Masonic Order.

19. The Order

The Year 2004 in Australia

Governor John Sanderson

- A. On the 1st January 2004 Governor John Sanderson co-signed with Mr J. McGinty, the Attorney-General, the enactment to a Knights of Saint John of Jerusalem Act that had been put through the Parliament of the State of Western Australia titled:

“Acts Amendment Repeal (Courts and Legal Practice) Act”

- B. The foreign power Bill/Act purportedly enabled John Sanderson to remove Her Majesty Queen Elizabeth and substitute himself and Mr James McGinty.
- C. Governor John Sanderson is a military man – the Military Arm of the Knights of Saint John of Jerusalem – John Sanderson is also a Returned Soldier or RSL.

20. Governor-General – 2004

Major General Michael Jeffery

A Committed Freemason

- A. The Governor-General at the time of the removal of Her Majesty from specific law within Western Australia and as such within the Commonwealth of Australia was Major General Michael Jeffery, a committed Freemason, also a military man and a returned soldier or RSL.
- B. Governor-General Michael Jeffery and Governor John Sanderson would have issued Commonwealth Election writs, one under Section 32 the other under Section 12 of the Constitution of the Commonwealth of Australia, formerly called Rhodes Island prior to Federation as per Sue v Hill [1999] – High Court - paragraph 36.
- C. The writs become fraudulent writs when all the facts are put into litigation. That is, the writs are Masonic writs.
- D. The same Governor-General permitted Kevin Rudd and Julia Gillard to form a Government without taking the Oath of Allegiance declared in writing in the Commonwealth Constitution.

21. Jeffery – Gillard – Rudd

- A. Both Michael Jeffery and Julia Gillard have pending Grand Jury Hearings in the Supreme Court of Victoria, but Grand Jury procession has been perverted by Masonic Judiciary inclusive of the current Governor Alex Chernov, a former Supreme Court Judge and current Knight of Saint John of Jerusalem.
- B. Kevin Rudd – Indictable Offence
Common Law Fraud

“The Accused in the period from 1 January 2004 up to and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal from the Electorate (the voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in the place of the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” within Commonwealth of Australia.”

22. Quentin Bryce Former Governor-General

- A. Quentin Bryce is a Knight of the Order of Saint John of Jerusalem and vested Alex Chernov into the role and title of Deputy Prior of the Order of Saint John of Jerusalem for the State of Victoria.
- B. All concealed from the Electorate or voting public within Victoria, Western Australia and Commonwealth of Australia or Rhodes Island.

23. Quentin Bryce and Alex Chernov (The Election Writs)

- A. Both have issued election writs either for the House of Representatives and or the Senate
- B. Alex Chernov recently issued the election writ for the Victorian State Election held 29 November 2014 when Victoria had a change of Government and the Speaker of the Legislative Assembly changed. The new Speaker issued the election writ for the Gippsland South By-election but, the real facts were concealed from the people, in particular the people who vote.

24. The Discovered Offences and Ramifications

The discovered offences involve:

- A. The removal of Her Majesty without referendum activates criminal jurisdiction and criminal offences.
- B. The removal of the Crown without referendum activates criminal jurisdiction and criminal offences.
- C. The removal of the Oath of Allegiance without referendum activates criminal jurisdiction and criminal offences
- D. The substitution of a State Governor into the position of Her Majesty without referendum activates criminal jurisdiction and offences.
- E. The silent agreement of all State Governors to the substitution of Her Majesty without referendum activates criminal jurisdiction and respective criminal offences.
- F. The unlawful substitution of the Foreign Power/Government of the Knights of Saint John of Jerusalem nullifies all purported grants of power

All without any input by the Electors.

In simple terms, **the Electors were shut out.**

25. Misleading and Deceptive Conduct Gippsland South By-election

The whole process in relation to the issue of the writ, the calling and conducting of the by-election was conducted by and under misleading and deceptive conduct on the electors of Gippsland South, in simple terms criminal activity against a trusting but mislead electorate.

26. The Constitutional Effect

The removal of Her Majesty without the knowledge nor approval of the State Electorate inclusive of and in addition to the Commonwealth electorate alters the jurisprudence and fraudulently substitutes the Foreign Power Government of the Knights of Saint John of Jerusalem.

In Constitutional Law all Election writs after this substitution are *ultra vires*, that is, they are outside of their Constitutional grants of power.

27. Mr Peter Ryan (Former MP)

On the 14 March 2015 the Electorate of Gippsland South did vote in a by-election because of the resignation of former representative Mr Peter Ryan.

28. The Writ (By-election)

The writ for the by-election was issued by the Speaker of the Legislative Assembly, Telmo Languiller on the 17th February 2015. Accordingly the by-election was called and conducted by the Victorian Electoral Commission (First Respondent).

29. The National Party (Victoria)

Within the State of Victoria two men involved with and members of the National Party Mr Peter Ryan and Mr D. O'Brien (Fourth Respondent) have knowledge of the real facts but have concealed this knowledge from the Gippsland South Electors, the State Electors inclusive of the Commonwealth Electors.

30. The Two Electoral Acts (1918 and 2002)

Every registered voter/elector has the right to vote in both State and Commonwealth Elections, accordingly two Acts apply.

- A. Commonwealth Electoral Act 1918
- B. Electoral Act 2002 Victoria

31. The Commissioners (Commonwealth and Victoria)

- A. The Electoral Commissioner for the Commonwealth used to be Mr Ed Killerstyn who resigned after the loss of Senator votes in Western Australia. The new Commissioner is now Mr Tom Rogers.
- B. The Electoral Commissioner for Victoria is Mr Warwick Gately (Second Respondent).

32. Victorian Electoral Commission (The Act)

Under Section 6 of the Electoral Act 2002 the Commission is:

- A. A body corporate
- B. The Commission represents the Crown in Right of the State of Victoria
- C. Has a Common Seal

33. Constitution of Commission (The Act)

Under Section 7 of the Electoral Act 2002, the Victorian Electoral Commission consists of one member who is appointed as the Electoral Commissioner, that person is Mr Warwick Gately.

34. Commission Responsibility and Functions

- A. Under Section 8 of the Electoral Act 2002 the Commission (Mr Warwick Gately) is responsible for the administration of the enrolment process and conduct of elections.
- B. The functions are set out under Section 8 – some of these are:
 - 1) To report to both Houses of Parliament
 - 2) To conduct Council elections
 - 3) Report to the Minister Gavin Jennings on Electoral matters that are in the general public interest referred to the Commission by the Minister, Gavin Jennings.
 - 4) Report to each House of Parliament twice per year (January and July).

35. The Electoral Commissioner (The Act) Governor in Council

Under Section 12 of the Electoral Act 2002 the Governor in Council appoints the Electoral Commissioner, Mr Warwick Gately (First Defendant/Respondent).

36. The Resolution (The Act)

Both Houses of Parliament (The Electorate)

Under Section 12(E) of the Electoral Act 2002 by resolution Both Houses of Parliament can request the Electoral Commissioner's removal from office (Electoral Commissioner is Warwick Gately- (First Defendant/Respondent)).

37. Indictable Offence - Electoral Commissioner

Under Section 14 of the Electoral Act 2002 the office of the Electoral Commissioner becomes vacant upon the Electoral Commissioner being convicted of an indictable offence or being sentenced to imprisonment for any offence.

38. Deputy Electoral Commissioner

Governor in Council

- A. Under section 13 of the Electoral Act 2002 the Governor in Council appoints the Deputy Electoral Commissioner who is Elizabeth Anne Williams.
- B. The same law applies in relation to the resolution under Section 13(E) of the Electoral Act 2002.
- C. The same law applies in relation to the Deputy Electoral Commissioner (Elizabeth Anne Williams) being convicted of an indictable offence or being sentenced to imprisonment for any offence.

39. Suspension From Office (The Act)

Governor in Council

- A. Under Section 14 of the Electoral Act 2002 the Governor in Council may suspend the Electoral Commissioner, Mr Warwick Gately or the Deputy Electoral Commissioner, Ms Elizabeth Anne Williams, from office on three (3) grounds:
 - 1) Neglect of duty
 - 2) Ground of misconduct
 - 3) Unfit for office

B. Within two hours of suspension inform in writing

- 1) The President
- 2) The Speaker
- 3) Leader of each Political Party

40. Mr Warwick Gately (First Defendant/Respondent).

The Indictable Offence – Common Law Fraud – Removal of Her Majesty

“The Accused in the period from 1 January 2004 up to and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal from the Electorate (the voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in the place of the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” within Commonwealth of Australia.”

41. Elizabeth Anne Williams

The Indictable Offence– Common Law Fraud – Removal of Her Majesty

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42. Governor Alex Chernov

The Indictable Offence– Common Law Fraud – Removal of Her Majesty

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the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” within Commonwealth of Australia.”

43. Governor in Council (Alex Chernov)

The Governor in Council refers to the Governor Mr Alex Chernov with respective Ministers or one Minister.

44. Knights of Saint John of Jerusalem – The Masonic Foreign Power Governor Alex Chernov

The Knights of Saint John of Jerusalem do not appear in either the State Constitution or the Commonwealth Constitution but the former Supreme Court Judge Alex Chernov, now the Governor of the State of Victoria is a Knight of Saint John of Jerusalem, an International Masonic Order or in simple terms a concealed foreign power, whose intent and purpose is concealed from the Electorate - This is fraud.

45. Electoral Act 2002 (The Act)
Section 148 False Information

- A. It is a criminal offence under this section to provide false or misleading information.
- B. Governor Alex Chernov has not revealed his Masonic Allegiance to the Electorate.
- C. Electoral Commissioner, Warwick Gately, has omitted critical facts from the Electorate.
- D. Deputy Electoral Commissioner, Elizabeth Anne Williams, has omitted critical facts from the Electorate.
- E. Officers of the Supreme Court of Victoria have omitted critical facts from the Electorate.
- F. Mr Peter Ryan and Mr Daniel O’Brien have omitted critical facts from the Electorate.

46. Electoral Act 2002 (The Act)

Section 152 Interference with Political Liberty

Officers of the Supreme Court of Victoria have interfered with the political right and duty of the Petitioner by not addressing the revealed criminal offences discovered (recently concealed by Justice Garde, Justice Forrest and Justice McDonald).

47. Electoral Act 2002 (The Act)

Division 2 : Compulsory Voting

Compulsory voting either implies or forces the elector to vote irrespective of the invalidity of the election because the real and critical facts have not been given to the respective electorates – forced to submit to fraud.

48. Peter Ryan – Julia Gillard – R.Hulls

The Petitioner states that Peter Ryan had both constructive and actual knowledge of the criminal charges on Julia Gillard and Mr R. Hulls but concealed these criminal charges and offences from the Gippsland South Electorate.

The Petitioner was present in Mr Ryan's Parliamentary Office in Spring Street, Melbourne when the respective charges were handed to Mr Peter Ryan who at the time represented the people and electors of Gippsland South.

49. The Criminal Offence (Misprison of Treason – 29 January 2007)

Julia Gillard

Removal of The Crown

“On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “the Commonwealth”, did enact an overt Act, titled, “Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA”.

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date.”

50. The Criminal Offence (Misprison of Treason – 15 December 2006)

Mr R. Hulls

“The Defendant since 1st January 2004 up to and inclusive of present date, has concealed from the People and Electors of the Commonwealth of Australia, the primary Act of Treason, when the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” was enacted 1st January 2004, at Perth Western Australia, the hidden purpose of such an Act was to unlawfully and illegally remove Her Majesty Queen Elizabeth II, such an Act was and remains a total breach of the Oath of Allegiance, in addition to a breach of the Oath of Office.”

51. The Concealment

- A. The Electorate for Julia Gillard was the Federal Seat of Lalor, which is Werribee in the State of Victoria
- B. The Electorate for the State seat occupied by the former Politician Mr R. Hulls was Niddrie
- C. The respective Electorates were not informed of the criminal charges, nor the content, nor the electoral, constitutional and criminal ramifications of the criminal charges.

52. The Combined Electoral Acts (1918 and 2002)

- A. In relation to the Electoral Act 2002 section 175 concerns the institution of the proceedings for offences, in particular Section 175 (2) states:

“Nothing in sub-section (1) affects the right of any person other than the Commission (Mr Warwick Gately) to institute proceedings in respect of any offence against this Act.”

- B. Commonwealth Electoral Act 1918
Section 4D states”
“Chapter 2 of the Criminal Code applies to all offences against this Act”
- C. Chapter 2 of the Criminal Code sets out the general principle of criminal responsibility.

- D. The Criminal Code Act 1995 Commonwealth is not limited to Chapter 2 and in law opens up the whole of the Criminal Code Act 1995.

53. Issue of Election Writs – State and Commonwealth

- A. In relation to Commonwealth Elections the Governor-General in Council issues writs for the House of Representatives under section 32 Commonwealth Constitution.
- B. In relation to writs for Senators, State Governors issue such writs in accordance with section 12 of the Commonwealth Constitution.
- C. The Gippsland South By-election writ was issued by the Speaker of the Legislative Assembly

54. Quentin Bryce and Alex Chernov

- A. At the most recent Commonwealth Election Quentin Bryce was the Governor-General
- B. At the most recent Commonwealth Election Alex Chernov was the Governor for the State of Victoria
- C. At the most recent Victorian State Election Alex Chernov was the Governor
- D. Both Quentin Bryce and Alex Chernov are Knights of Saint John of Jerusalem, a concealed Masonic foreign power and as such operate outside of a valid Constitutional grant of power, and have fraudulently substituted the Masonic Government of the Knights of Saint John of Jerusalem or the Order of Malta.

55. Supreme Court of Victoria
Supreme Court of Western Australia

- A. In relation to the Electoral Act 2002 (Victoria) Part 8 is the Court of Disputed Returns which is a single Judge of the Supreme Court of Victoria sitting alone, no jury or open witness box for cross-examination.
- B. Officers of the Victorian Supreme Court over a number of years have concealed from the Victorian Electorate the manner that officers of the Supreme Court of Western Australia have amended their respective Act.

C. Supreme Court Act 1935 Amended (Western Australia)

- 1) Section 9 (1)
Removes Her Majesty and substitutes the Governor
(John Sanderson)
- 2) Section 119
Deletes Her Majesty and subjects (the People)
- 3) Section 154
Deletes Her Majesty's Attorney-General and inserts
The Attorney-General (Mr J. McGinty)
- 4) Section 12
Amends and removes the statutory Oath of Allegiance and
alters it to -
"The State of Western Australia"

56. West Australian Defendants

Pending Grand Jury Hearings in Victoria

Section 354 Crimes Act 1958 (Victoria)

- A. W. Martin – Supreme Court (WA)
- B. James McGinty – Attorney-General
- C. K. Beazley – Federal Politician
- D. A. Braddock – Supreme Court (WA)
- E. C. Wheeler – Supreme Court (WA)
- F. C. Steytler – Supreme Court (WA)
- G. C. Pullin – Supreme Court (WA)
- H. J. McKecknie – Supreme Court (WA)
- I. M. Buss – Supreme Court (WA)
- J. R. Mitchell – State Solicitor's Office (WA)
- K. John Bowler – State MP (WA)
- L. J. Maley – Masonic Grand Master (WA)
- M. R. Cock – State DPP(WA)
- N. D. Renton – Commonwealth DPP (WA)
- O. Corryn Rayner – Supreme Court (WA) (murdered)

57. Melbourne Magistrates Court

Victorian Supreme Court

Grand Jury Victoria

All named West Australian Defendants/Accused in the former section have been formally charged and served and presented to the Magistrates Court at Melbourne where the Private Prosecution charges were protected and withdrawn by Public Prosecutors (declined to present), after which all Defendants/Accused were lodged into the criminal jurisdiction of the Full Court Supreme Court for Grand Jury indictments.

All such Grand Jury lodgements have been concealed from the Electors and no juries, either civil or criminal, have been called or empanelled – all remain pending, but concealed from all respective Electorates, inclusive of Gippsland South in Victoria by Mr Peter Ryan and Mr Daniel O'Brien - both members of the National Party inclusive of officers of the Victorian Supreme Court and Victorian Government Solicitor's Office.

58. Mr Peter Ryan

Former MP Gippsland South Electorate

Common Law Fraud

“The Accused in the period from 1 January 2004 up to and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal from the Electorate (the voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in the place of the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” within Commonwealth of Australia.”

59. Mr Daniel O'Brien

Current MP Gippsland South Electorate

Common Law Fraud

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60. Justice McDonald (Supreme Court)
Indictable Offences

A. Common Law Fraud

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B. Crimes Act 1914 Section 34(4)

Judge or magistrate acting oppressively or when interested
Acting when interested

A person commits an offence if:

- a) The person is a judge or magistrate; and
- b) The judge or magistrate perversely exercises jurisdiction in a matter; and
- c) The judge or magistrate has a personal interest in the matter; and
- d) The jurisdiction is federal jurisdiction

Penalty: Imprisonment for 2 years

C. Misprison of Treason

Sykes v Directors of Public Prosecutors

All England Law Reports

1961 3 ALLER 33 at 36

“Now concealment of treason was itself treason”.

61. Failure or Refusal

Sykes v Directors of Public Prosecutors
All England Law Reports
1961 3 ALLER 33 at 36

“Misprison requires nothing active. The failure or refusal to disclose the felony is enough”.

62. Justice Forrest

Supreme Court Victoria – 13 February 2015

A. Common Law Fraud

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“Now concealment of treason was itself treason”.

63. Justice G. Garde

Supreme Court Victoria – 26 February 2015

A. Common Law Fraud

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“Now concealment of treason was itself treason”.

64. Australian Electoral Commission

Mr Darren McNair

Tendered into the Court on 26 February 2015

Affidavit Number 30 (Justice G. Garde Hearing)

Common Law Fraud

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65. Mr Tony Abbott (Prime Minister)

United Kingdom Citizen

Tendered into the Court on 26 February 2015

Constitutional Breach of Section 44

Affidavit Number 14 (Justice G. Garde Hearing)

High Court Matter – Sue V Hill [1999]

“Ruled that the United Kingdom was a foreign power and that Senator Heather Hill was disqualified.

The ruling disqualifies Mr Tony Abbott.”

66. Mr Tony Abbott
Indictable Offence
Common Law Fraud

“The Accused in the period from 1 January 2004 up to and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal from the Electorate (the voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in the place of the Queen and subsequent removal of the Crown without the statutory referendums after the enactment of the overt Act titled “Acts Amendment and Repeal (Courts and Legal Practice) Act” within Commonwealth of Australia.”

A. Original Jurisdiction
Commonwealth Constitution Section 44

Any challenge in relation to disqualification is original jurisdiction when coupled with or enabled by the *Common Informers (Parliamentary Disqualification) Act 1975 (Cth)* and no other court or jurisdiction has jurisdiction, as stated in the Act.

67. The Candidates

The Gippsland South By-election had eight (8) candidates, with the exception of the Fourth Respondent and Petitioner the other six (6) are:

- A. Warren Sanders
- B. Viv Pepper
- C. Deb Meester
- D. Jim McDonald
- E. Andrea Millsom
- F. Scott Rossetti

The six (6) current candidates are material witnesses and have been given actual and constructive knowledge of the discovered fraud and deception.

68. Three State Election Petitions

A. Shaw Petition

After the recent state Election three (3) Petitions were filed/lodged. I state lodged because one of the Petitioners was Mr Brian Shaw, his Petition was not heard in open court, but rather “on the papers”. The Petition was refused by Justice Gregory Garde. Mr Brian Shaw is a material witness.

B. Rigoni Petition

Maria Rigoni filed a Petition in relation to early voting issues. The Petition was heard in open court by Justice Gregory Garde. The Petition was refused – Maria Rigoni did conceal all discovered criminal offences even though Maria Rigoni was given all of the evidence in the period prior to the Petition being heard. Maria Rigoni is a material witness.

C. Donohue Petition

The Petition that I filed was heard by Justice Gregory Garde during the course of the hearing his criminal charge was handed up. Justice Garde tendered his own criminal charge into evidence, refused to stand down continued the hearing and reserved the judgement. The Petition was refused

D. The matter has now been filed into the High Court jurisdiction and the Application for Special Leave to Appeal has been served on the Prothonotary, Rod Radcliff, Supreme Court (Victoria) and the Victorian Electoral Commission – Mr Warwick Gately.

69. The High Court Problem

A. The High Court of Australia gains jurisdiction and grant of power from Chapter III of the Constitution of the Commonwealth of Australia and consists of seven (7) Judges.

B. In the period 2006 – 2007 the seven High Court Judges were criminally charged by private prosecution, presented to the Magistrates Court at Melbourne, protected by Public Prosecutors who failed/declined to present, after which all seven Judges had their declined presentments lodged into the criminal jurisdiction of the Victorian Supreme Court for

Grand Jury indictments, where the lodgements were concealed, but, remain pending.

C. The seven Judges charged are:

- i. Justice Anthony Gleeson (Chief Justice)
- ii. Justice Kenneth Hayne
- iii. Justice Michael Kirby
- iv. Justice Ian Callinan
- v. Justice Susan Crennan
- vi. Justice William Gummow
- vii. Justice John Heydon

D. The current seven Judges are:

- i. Chief Justice French
- ii. Justice Hayne
- iii. Justice Kiefel
- iv. Justice Bell
- v. Justice Gageler
- vi. Justice Keane
- vii. Justice Nettle

E. Reserve Judges

Under the Forge judgement High Court, it is possible for the High Court to function with Reserve Judges, pending the criminal issues relating to and involving High Court Judges and their concealment of this discovered attack upon State and Commonwealth Constitutions and Electors by the discovered foreign power Masonic Government identified in the title "Knights of Saint John of Jerusalem".

70. Federal Court of Australia

Prior to the Federal Election purportedly won by Mr Tony Abbott and the Coalition Parties I did attend the office of the Federal Court to file documents seeking an injunction order, other people did the same, but the documents were returned by mail with a covering letter stating that the matter would not proceed. The signatures to these refusals are material witnesses in this Petition.

71. Wonthaggi Magistrates Court

Magistrate Raleigh

Informant Darren McNair (Electoral Officer)

- A. During March 2015, I appeared in the Wonthaggi Magistrates Court because I failed to vote in the Commonwealth Election (The Refused Documents). The Magistrate refused all evidence, inclusive of refusing to issue or permit s78B Notice and convicted me. The matter is under appeal to the County Court. The Magistrate is a material witness to this Petition.

- B. One of the local newspapers in Gippsland printed an article under the header "Election Candidate Convicted of Refusing to vote". The editor/owner of the newspaper is a material witness to this Petition.

72. Prothonotary – Supreme Court

Because the Petition must go to the Court of Disputed Returns in accordance with the Electoral Act 2002, certain officers within Prothonotary now become material witnesses to this Petition.

- A. Mr Rod Radcliff (Prothonotary)
- B. Mr R. Shade
- C. Mr M. Deviny

73. The Three Farmers

Three former farmers will be called to give evidence in relation to this election Petition, all reside within the State of Victoria all are victims of Government fraud and all have material interest in this Petition. The former farmers are material witnesses.

The three farmers are:

- A. Mr Jack Moran
- B. Mr Mal McFarlane
- C. Mr Tony Smart

74. Carmen Walter

Carmen Walter is a material witness to this Petition for the following reasons.

- 1) Litigation involving the National Bank
- 2) Presiding Judge – Justice Dodds-Streeton formally charged by Private Prosecution (by Carmen Walter) presented to the Magistrates Court, Public Prosecutors declined the presentment, but, the matter was lodged for Grand Jury process and remains pending.
- 3) Justice Dodds-Streeton is now a Federal Court Judge
- 4) Was a co-plaintiff for a Grand Jury Application against Freemasonry Victoria in 2001 heard by five Judges, one of which is now the current Governor Alex Chernov who issues election writs but is a Knight of Saint John of Jerusalem, an International Masonic Order.

75. Mr Mark Pedley

Mr Mark Pedley was the Deputy Director of the Commonwealth Public Prosecutors under Damian Bugg but Mr Pedley is now the Judicial Registrar of the Court of Appeal (Full Court) to control and prevent any or all Grand Jury Applications either coming into or being heard.

Mr Mark Pedley is a material witness in this Petition.

76. Registration of Political Parties

Electoral Act 2002 Part 4 Section 43

A. Under Section 14 of the Electoral Act 2002 when either the Electoral Commissioner (First Defendant/Respondent) or Deputy Electoral Commissioner is suspended all Political Parties must be informed in writing.

B. Crimes Act 1914 Section 3AA (Commonwealth)

This section defines Constitutional Corporations, but with the unlawful removal of the Crown there is no valid Constitutional Corporation all have been fraudulently assumed into the Knights of Saint John of Jerusalem.

The two Clerks of both Victorian Houses are material witnesses to this Petition.

77. Banking – Banks

- A. All Banks operating within Australia are corporations and as such fall within the ambits of section 3AA Crimes Act 1914 (Commonwealth) identifying “Constitution Corporations” under Section 51(xx) of the Constitution of the Commonwealth of Australia.

78. Intra-State Banking

Intra-State Banking is permitted within the Constitution of the Commonwealth – that is, a Bank created within the Parliament and accountable to the Electorate prior to election periods.

79. Birth Certificates

Unlawfully and Fraudulently Converted The Principal Allegation

- A. It has come to my attention that Birth Certificates are being converted into “Trading Bonds” and are traded on various stock exchanges throughout the world without the knowledge nor consent of the actual person or parent/guardian of the person identified on the Birth Certificate.

- B. Commonwealth Constitution
Section 51(iv)

“Borrowing money on the public credit of the Commonwealth”

80. The Allegation

The public credit is the converted Birth Certificates with monetary values attached, but, not disclosed to the Public of the Commonwealth.

81. Warwick Gately (First Defendant/Respondent).

- A. Warwick Gately came from Western Australia after the criminal events revealed in this Writ.
- B. Warwick Gately was the Western Australian Electoral Commissioner prior to getting the job in the State of Victoria
- C. Warwick Gately is the causal link between Western Australia and Victoria.

82. Fraud and Deception

I repeat that this Gippsland South By-election was called, conducted and held and achieved by fraud and deception.

ORDERS SOUGHT

1. That if the Victorian Supreme Court were to hear this Petition in civil jurisdiction it must be in an open court with a civil jury in addition, an open witness box permitting cross-examination.
2. That due respect be given to the respective jurisdictions identified specifically:
 - a. Original jurisdiction (High Court)
 - b. Exclusive jurisdiction (Grand Jury)
3. That all Attorney-Generals be informed by the statutory requirement Notice 78B Judiciary Act 1903 (Cth).
4. That all and any pending Grand Jury Lodgements, lodged prior to any purported abolition of the Grand Jury Right be identified and submitted into criminal jurisdiction for due process in accordance with section 354 Crimes Act 1958 Victoria (The Prior Right).

TWO WITNESSES

Witness 1:

Witness 2:

.....
Name

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Name

.....
Signature

.....
Signature

.....
Date

.....
Date