

VICTORY IN SIGHT

- Trial by Jury scheduled for 24 May, 2010.

AN EMAIL:

The Research Team,
60 Minutes,
Channel 9,
Sydney,
Australia.

Dear Sirs,

There is to be a trial held at the District Court in Parramatta on 24 May, 2010 that will restore truth, justice, freedom and democracy to this country.

It will trial by jury and the indictment reads "THE QUEEN against JOHN WILSON".

The key element is the right to trial by jury, which has been eliminated from our courts. A jury will decide if Australians have the right to trial by their equals.

The elimination of the right to trial by jury has resulted in arbitrary imprisonment and wrongful foreclosures that have devastated the lives of countless hundreds of thousands of unsuspecting families.

My website is <http://www.rightsandwrong.com.au> and it has many items of law which are fundamental to how the Rule of Law ought to be applied...with the Rule of Law being: "1. The supremacy of law. 2. A feature attributed to the UK constitution by Professor Dicey (*Law of the Constitution*, 1885). It embodied three concepts: the absolute predominance of regular law, so that the government has no arbitrary authority over the citizen; the equal subjection of all (including officials) to the ordinary law administered by the ordinary courts; and the fact that the citizen's personal freedoms are formulated and protected by the ordinary law rather than by abstract constitutional declarations. (Oxford Reference, A Dictionary of Law, Oxford University Press)".

The website has a feature on the Magna Carta Monument, opened by John Howard in Canberra shortly following the NY Twin Tower Attack. There, there is the inscription of "Magna carta is now seen as a traditional mandate for trial by jury, justice for all, accountable government , and no arbitrary imprisonment." and has lately become the rallying point for "Freedom Marches" (eg: the farmers' demands for property rights, etc.).

Sir William Blackstone wrote in his "Commentaries on the Laws of England" that trial by jury "is the glory of English law" when he said "UPON these accounts the trial by jury even has been, and I trust ever will be, looked upon as the glory of the English law. And, if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened, when it is applied to criminal cases! But this we must refer to the ensuing book of these commentaries: only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or with for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbours and equals. A constitution, that I may venture to affirm has, under providence, secured the just liberties of this nation for a long succession of ages. And therefore a celebrated French writer, who concludes, that because Rome, Sparta, and Carthage have loft their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, were strangers to the trial by jury."

After 14 years of being denied the inalienable RIGHT to TRIAL BY JURY, finally I am to have just that 12 Freemen and Freewomen gathered to administer JUSTICE, by judging both FACT and LAW..... 12 Freemen and Freewomen to exercise their SOVEREIGNTY to make and impose COMMON LAW.

The Jury Trials of the Eureka Stockade Rebels in 1855 are regarded as a "LANDMARK OF DEMOCRACY"and so they were. Fortunately, People back then knew of the RULE OF LAW and the importance of TRIAL BY JURY. Unfortunately, People today are deliberately keen ignorant of every aspect of ENGLISH COMMON LAW by the media and our institutions of learning. It will be my task to educate the selected 12 People. 24 May 2010 will be a WATERSHED-to-end-all-WATERSHEDS (ie: an important point of division or transition between two phases, conditions, etc.... to free from spiritual defilement or from sin, guilt, etc..... to purify).

The STEALING and DESTROYING by the Banks and the TREASON and INJUSTICES committed by the Judges will be brought to a crashing halt. Finally, Edmund Burke's solution will be realized and GOOD MEN will triumph over EVIL.

I believe the People of Australia ought to be told of this crucial action in our courts and of the detail of the events leading up to it.

Yours sincerely,
John Wilson,
19 Elm Place,
North Rocks,
NSW 2151.
Australia.
Mobile: 0401 413 650.

THE INDICTMENT:

See "Indictments 1,2 and 3.

MY DEFENCE DOCUMENT (Filed 10 February 2010):

Form 7B (version 2)
U.C.P.R. 14.3

DEFENCE of John Wilson

COURT DETAILS

Court: District Court of New South Wales
Division: Criminal
Registry: Parramatta

Case number: H27976164/1/2/3

TITLE OF PROCEEDINGS

Prosecutor: Director of Public Prosecutions

Defendant: John Wilson.

FILING DETAILS

Filed for: John Wilson, Defendant.

Contact name and telephone: John Wilson and 0401 413 650.

HEARING DETAILS

The proceedings are listed for 9:00 AM on 25 February, 2010 at Parramatta District Court.

PLEADINGS AND PARTICULARS

1. I am the Defendant.
2. I truly believe I have NOT DONE WRONG in my fight for TRUTH, JUSTICE, FREEDOM and DEMOCRACY.
3. The word, "GUILTY", means "HAVING DONE WRONG".
4. There must be two essential elements to create a punishable offence. The first is called "actus rea" and the second is called "mens rea". "In [criminal law](#), **mens rea** – the [Latin](#) term for "**guilty mind**"^[1] – is usually one of the necessary [elements](#) of a [crime](#). The standard [common law](#) test of criminal [liability](#) is

usually expressed in the Latin phrase, *actus non facit reum nisi mens sit rea*, which means "the act does not make a person guilty unless the mind be also guilty". Thus, in jurisdictions with due process, there must be an actus reus accompanied by some level of *mens rea* to constitute the crime with which the defendant is charged (see the technical requirement of concurrence). The Criminal Law does not usually apply to a person who has acted with the absence of mental fault; this is the general rule" (http://en.wikipedia.org/wiki/Mens_rea)

5. I have been denied my inalienable RIGHT to TRIAL BY JURY continually on every occasion I have been to an Australian Court.
6. I am a FREE MAN. I am a SOVEREIGN HUMAN BEING created by GOD and have the inalienable RIGHT to TRIAL BY JURY where twelve of my EQUALS are to administer JUSTICE.
7. JUSTICE is "the protection of rights and the punishment of wrongs".
8. HALSBURY'S LAWS OF AUSTRALIA says under (130-13460): "Consent to summary jurisdiction The consent to be tried summarily must be clear and unequivocal and a failure to carry out the procedures for obtaining the consent will deprive the court of jurisdiction to determine the matters summarily."
9. I have never given my CONSENT to be WITHOUT a JURY.
10. In any action, for a Court to have the JURISDICTION to proceed SUMMARILY, ie: without a Jury, the Court must obtain the clear and unequivocal CONSENT to be WITHOUT a JURY in the form of a MEMORANDUM OF CONSENT.
11. The SUPREME COURT PROCEDURE ACT No. 49, 1900 says under section 3. "(1) In any action by consent of both parties the whole or any one or more of the issues of fact in question may be tried, or the amount of any damages or compensation may be assessed by a Judge without a jury."
12. The INTERPRETATION ACT No. 15, 1987 says under section 30. "(1) The amendment or repeal of an Act or statutory rule

does not: ... (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Act or statutory rule.”.

13. I have never given my CONSENT to be WITHOUT a JURY.
14. MAGNA CARTA is entrenched Constitutional Law in Australia and has been since 25 July, 1828. More importantly, it has always been COMMON LAW in Australia.
15. Lord Edward Coke wrote: “Common law doth control Acts of Parliament and adjudges them when against common right to be void.”
16. No Parliament has the power to make laws which take away the RIGHTS of the PEOPLE.
17. In the “Annotated Constitution of the Commonwealth of Australia” by Quick & Garran, is the passage: “A law in excess of the authority conferred by the Constitution is no law; it is wholly void and inoperative; it confers no rights; it affords no protection.”
18. MAGNA CARTA says: “No free man shall be taken indeed imprisoned, either dispossessed, or outlawed, or exiled, or in any manner destroyed, nor pass over him, nor send over him, except by means of the legal judgment of his own equals indeed the law of the land. To no one will we sell, to no one will we deny or delay Right or Justice.”
19. The CONFIRMATION OF THE CHARTERS, 1297 says: “...that the Great Charters of Liberties and the Charter of the Forest, which were made by common assent of all the realm, in the time of King Henry our father, shall be kept in every point without breach...we have granted that they shall be observed in all points, and that our justices, sheriffs, mayors, and other officials which under us have to administer the laws of our land, shall allow the said charters in pleas before them and in judgments in all their points....And we will that if any judgment be given from henceforth, contrary to the points of the charters aforesaid, by the justices or by any other ministers that hold plea before them against the points of the charters, it shall be undone and holden for naught.”

20. Another entrenched Constitutional Enactment in Australia is the PETITION OF RIGHT 1641 which says: "And where also by the statute called, The Great Charter of the Liberties of England, it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties or his free customs, or to be outlawed or exiled, or in manner destroyed, but by the lawful judgment of his peers, or by the law of the land." and in section 8. "That the awards, doings and proceedings, to the prejudice of your people in any of the premises, shall not be drawn hereafter into consequence or example."

21. Every person is entitled to NATURAL JUSTICE which is described as the "Rules of fair play, originally developed by the court of equity to control the decisions of inferior courts and then gradually extended (particularly in the 20th century) to apply equally to the decisions of administrative and domestic tribunals and any authority exercising an administrative power that affects a person's status, rights and liabilities. Any decision reached in contravention of natural justice is void as ultra vires. There are 2 principal rules: (1) The first is the rule against bias (ie: against departure from the standard of even-handed justice required of those who occupy judicial office) - nemo iudex in causa sua (or in propria causa). This means that any decision, however fair it may seem, is invalid if made by a person with any financial or other interest in the outcome or any known bias that might have affected his impartiality. The second rule is known as audi alteram partem (hear the other side). It states that a decision cannot stand unless the person directly affected by it was given a fair opportunity both to state his case and to know and answer the other side's case." (Oxford Reference A Dictionary of Law, Oxford University Press, Third Edition).

22. In 1921, George Sutherland, Associate Justice of the United States Supreme Court said: "The three great rights are so bound together as to be essentially one right. To give a man his life, but deny him his liberty, is to take from him all that makes his life worth living. To give him his liberty, but take from him the property which is the fruit and badge of his liberty, is to still leave him a slave."

23. William Shakespeare wrote, in “The Merchant of Venice”,
“You take my life when you take away the means by which it is made.”
24. I repeat, from MAGNA CARTA: “No free man shall be taken indeed imprisoned, either dispossessed, or outlawed, or exiled, or in any manner destroyed, nor pass over him, nor send over him, except by means of the legal judgment of his own equals indeed the law of the land. To no one will we sell, to no one will we deny or delay Right or Justice.”
25. The INJUSTICES resulting from being DENIED my inalienable RIGHT to TRIAL BY JURY in all my appearances in Australian Courts have become manifest to include IMPRISONMENT, DISPOSSESSION of my PROPERTIES, DEFAMATION, ASSAULT by POLICE and SHERIFFS, the DESTRUCTION of my TOOLS of TRADE, the THEFT of my BELONGINGS, the THEFT of my PATIENTS’ RECORDS, the CANCELLATION of my DRIVER’S LICENCE until 2027, DISTRESS and HARDSHIP to my WIFE and FAMILY.
26. Because of the unlawful DESTRUCTION of my LIVELIHOOD, my 63 year old wife is having to work many more hours and days at her casual job as a tour guide at the Homebush Olympic Centre in order for us to pay our bills. She has had to work in arduous weather conditions of the Australian heat and rain. She is a remarkable woman – the kind that built this nation. She believes in RIGHT and JUSTICE and, when the occasional bout of depression hits her, asks me to give up fighting because the forces of evil against me are too powerful.
27. After 14 years of fighting in Australian Court for the TRUTH that the word, “VARIABLE”, means “UNCERTAIN”, I have finally secured a JURY TRIAL, here in this Parramatta District Court.
28. I truly believe that this JURY TRIAL is the most important court case ever in the history of Australia. It is more important that the JURY TRIALS of the EUREKA STOCKADE REBELS in 1854 which is regarded as the “LANDMARK OF DEMOCRACY” when 6 separate JURIES all found those men, who had drawn up their “CHARTER OF LIBERTIES” to stand against the oppression and exploitation in the mining fields, had

NOT DONE WRONG, ie: the 13 men were found “NOT GUILTY” when the British Governor, Hotham, charged them with HIGH TREASON and wanted them all hung.

29. In 1854, the PEOPLE knew their RIGHTS and their RESPONSIBILITIES as JURORS to administer JUSTICE. That is to say, they knew the value of MAGNA CARTA and they knew they had DEMOCRACY of which those JURY TRIALS are a LANDMARK.
30. From this TRIAL we can begin to put a stop to the STEALING committed by the BANKS through their fraudulent practices of unlawful loan contracts (eg: variable interest rates rendering a contract void for uncertainty) and creating money “out of thin air” (eg: by Fractional Reserve Banking).
31. From this TRIAL we can begin to return to the RULE OF LAW which is described as “1. The supremacy of law. 2. A feature attributed to the UK constitution by Professor Dicey (*Law of the Constitution*, 1885). It embodied three concepts: the absolute predominance of regular law, so that the government has no arbitrary authority over the citizen; the equal subjection of all (including officials) to the ordinary law administered by the ordinary courts; and the fact that the citizen’s personal freedoms are formulated and protected by the ordinary law rather than by abstract constitutional declarations. (Oxford Reference, A Dictionary of Law, Oxford University Press).
32. From this TRIAL we can begin to return to “OUR VALUES”, which part of the title of a video made by the NSW Attorney-General’s Department for the edification of JURORS. The full title of that video is “OUR JURIES – OUR VALUES”.
33. From this TRIAL we can begin to restore ALL of OUR RIGHTS, including PROPERTY RIGHTS, FREEDOM OF SPEECH, FREE ELECTIONS, etc.
34. From this TRIAL we can begin to return the COURTS of AUSTRALIA to the RULE OF THE PEOPLE so that PEOPLE decide what the LAW IS; so that PEOPLE govern the RULES OF EVIDENCE; so that PEOPLE nullify/defeat bad laws; so that PEOPLE govern THEMSELVES and their COUNTRY.

35. I truly believe that Thomas Jefferson was right when he said, “The germ of destruction of our nation is in the power of the judiciary, an irresponsible body - working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction, until all shall render powerless the checks of one branch over the other and will become as venal and oppressive as the government from which we separated.”.
36. I truly believe that the POMPOSITY of “counsellors” and “judges” wearing wigs and gowns is a key factor in the LEGAL PROFESSION’S IMPOSITION of the wrongful mystique that they hold a higher authoritative position in our society and that they command obedience from the PEOPLE. Judges and Magistrates have NO JURISDICTION over the PEOPLE and NO COURT has SUMMARY JURISDICTION without the CONSENT of both parties to that particular action. Mention of this CONSENT JURISDICTION is even written into section 51 of the NSW District Court Act 1973 No. 9.
37. On several occasions in Courts, I have said, “Judges must never be given nor allowed to assume absolute power whereby they can conceal their own incompetence, corruption and treachery.”. This I believe.
38. On numerous occasions in Courts, I have asked the Judge or Magistrate, “Who do you serve?” and they response has consistently been, “I am not here to answer questions.”. But that is exactly why they are there. They are there to answer questions for the clarification of any issue to do with the legalities or procedures. They are there to do anything the JURY asks of them. They have sworn an Oath that says, ““I,, do swear that I will well and truly serve our Sovereign Lady, Queen Elizabeth the Second in the office of a Judge in the Supreme Court, and I will do right to all manner of people after the laws and usages of the State of New South Wales without fear or favour, affection or ill-will. So help me God.” (4th Schedule of the OATHS ACT 1900 No. 20). They have sworn to “well and truly serve” “the Crown of the United Kingdom of Great Britain and Ireland”, according to the U.K. Parliament’s “An Act to Constitute the Commonwealth of Australia, 63 & 64 Victoria, Chapter 12 [9th July 1900]”.

39. It should be noted that Her Majesty Queen Elizabeth the Second of the United Kingdom of Great Britain and Ireland was crowned in 1853 when, after swearing the Coronation Oath, that included the question from the Archbishop, "Will you to your power cause Law and Justice, in Mercy, to be executed in all your judgements?" and she answered, "I will.", the Archbishop offered this prayer: "Hear our prayers, O Lord, we beseech thee, and so direct and support thy servant Queen ELIZABETH, that she may not bear the Sword in vain; but may use it as the minister of God for the terror and punishment of evildoers, and for the protection and encouragement of those that do well, through Jesus Christ our Lord. **Amen.**"
40. On numerous occasions in Courts, I have CHALLENGED THE JURISDICTION OF THE COURT both orally and by filing the document. However, never has DUE PROCESS been observed or obeyed by the Judges and Magistrates - in that never has there been "a peremptory stay of proceedings" and never has the CHALLENGE TO THE JURISDICTION OF THE COURT been determined by a SPECIAL JURY. Instead the Judges and Magistrates have either disregarded this legal procedure altogether or made a ruling "in their own cause" that they alone constitute the Court. On many occasions, when I have issued the CHALLENGE, the Judge or Magistrate has ordered me from the Court.
41. This "absolute power" which Judges and Magistrates have assumed include a "power" to "STRIKE OUT" someone's DEFENCE.
42. NATURAL JUSTICE demands that everyone has a RIGHT to DEFEND oneself. Even under INTERNATIONAL COVENANTS everyone is entitled to DEFEND oneself with or without the assistance of "legal representation".
43. This "absolute power" which Judges and Magistrates have assumed include a "power" to decide the "RULES OF EVIDENCE", ie: to decide what a JURY can and cannot hear and judge.
44. In 2010, the PEOPLE know nothing of their RIGHTS and their RESPONSIBILITIES as JURORS to administer JUSTICE, ie; they do not know that COURTS ARE GOVERNMENT.

45. The JURY for this TRIAL can VINDICATE MEN'S RIGHT and RE-ESTABLISH DEMOCRACY for another 2 centuries, by which time PEOPLE will probably, again, forget the lessons of history.
46. Whenever I have appeared in an Australian Court, as either Plaintiff or Defendant, my inalienable RIGHT to TRIAL BY JURY has been DENIED to me by the Judges, the Magistrates and even the Registrars. I have called these persons, in Court, "evil", "criminals" and "traitors". They have threatened me with "Contempt of Court" and I have replied, "Contempt of Court is interfering with the Administration of Justice. Justice is the protection of rights and the punishment of wrongs. It is not I who is in Contempt of Court. It is you." I have told them that the description of them as "evil" is found in the Bill of Rights 1688 (an entrenched Constitutional and, more importantly, Common Law in Australia) when it says that "divers evil counsellors, judges and ministers" "did endeavour to subvert and extirpate the Protestant religion and the laws and liberties of the kingdom".
47. I have been determined to restore the RIGHT of every Australia to TRIAL BY JURY and one of my leaflets I called "COURTS ARE GOVERNMENT" in which I explained that "Government is the system of governing – and **to govern is to rule with authority**. Governance by the People is Democracy. Governance by Judges and Magistrates is Bureaucracy. **Who has power in the Courts is the Government over the Land and the People**. Democracy is the Rule of Common Law - which is the Law of the People, by the People and for the People and is made by the unanimous Judgments of the congregations of 12 Freemen as Jurors, who ask "So help me, God" for them to administer Justice. Justice is "the protection of rights and the punishment of wrongs". Bureaucracy is the Rule of Statute Law – which is the Law made by Parliaments, that have no Jurisdiction over the People, and is administered by stipendiary Magistrates and Judges. When People Rule in the Courts, there is Trial by Jury, which is "the Palladium of Liberty", "the Bulwark of Freedom", and "the only Defense against Tyranny". A Court has no Jurisdiction to proceed summarily (ie: without a Jury) unless first obtaining the clear and unequivocal consent of both parties to do so – otherwise,

any awards, doings and proceedings are not to be drawn into consequence or example, ie: any such Judgments are illegal and void. Sir William Blackstone (1723 – 1780) wrote: “UPON these accounts the trial by jury even has been, and I trust ever will be, looked upon as the glory of the English law. And, if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened, when it is applied to criminal cases! But this we must refer to the ensuing book of these commentaries: only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or with for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbours and equals. A constitution, that I may venture to affirm has, under providence, secured the just liberties of this nation for a long succession of ages. And therefore a celebrated French writer ⁹, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, were strangers to the trial by jury.” Magna Carta 1215 says, “No free man shall be taken indeed imprisoned, either dispossessed, or outlawed, or exiled, or in any manner destroyed, nor pass over him, nor send over him, except by means of the legal judgment of his own equals indeed the law of the land. To no one will we sell, to no one will we deny or delay right or justice”.

48. When the POLICE trespassed onto my property and into my home and brutally arrested me on Thursday, 16 July 2009, they stole my video camera that I was using to record their actions. The cassette in that video camera already had a short piece on it of me introducing a segment for my website and emphasizing the importance of that “COURTS ARE GOVERNMENT” leaflet.
49. I truly believe that PEOPLE are becoming more concerned regarding the corporatisation of the PEOPLE’S institutions, including the COURTS which ought not be corporations but “places where justice is administered” because all LAW hangs on loving GOD and loving one’s neighbour as oneself. The BIBLE says that we cannot worship both GOD and MAMMON.

50. Benito Mussolini is purported to have said that “FASCISM is CORPORATISM”.
51. The Local Courts of NSW have an ABN of 68 199 215 208.
The District Courts of NSW have an ABN of 33 673 621 537.
The Supreme Court of NSW has an ABN of 77 057 165 500.
The High Court of Australia has an ABN of 69 445 188 986.
52. Further to this corporatization, here following is from a recent email I sent out to my list of recipients: “Local Governments in Australia are corporations, eg: the Coffs Harbour City Council is a corporation registered on the Australian Business Registry with the number of 79 126 214 487; State Governments in Australia are corporations, eg: the NSW Parliament is a corporation registered on the Australian Business Registry with the number of 89 288 775 026; Federal Government in Australia is a corporation, ie: the Commonwealth of Australia is a corporation registered in the U.S. Securities Exchange Commission with the number of CIK (0000805157) SIC: 8880. CIK is the Credit Suisse Asset Management Income Fund, Inc. (the Fund) - is a diversified, closed-end investment company. The Fund's investment objective is to seek current income through investment primarily in debt securities. SIC is the "Standard Industrial Classification" and the SIC Code of 8880 has the "Industrial Title" of "American Depositary Receipts". The Commonwealth of Australia is a "debt security", packaged up as a "corporation". Do the People of Australia know their country is owned by a "closed-end investment company" in Switzerland? What does that make the People of Australia? personnel or merchandise? Yours sincerely, John Wilson.
<http://www.rightsandwrong.com.au>”
53. I truly believe that the System for the Administration of Justice, ie: the JUDICATURE, is in dire peril.
54. A “modus operandi” has developed for the collection of vast amounts of money from PEOPLE who have no knowledge of their Constitutional and, more importantly, Common Law RIGHTS. The are found “GUILTY” by persons such as Judges and Magistrates and, even Registrars, when the Courts have never obtained the CONSENT from both parties to the action to be without a JURY. A fine or forfeiture is imposed – which is a violation of the BILL OF RIGHTS 1688 (an entrenched Constitutional and, more importantly, Common Law in

Australia) which says that “THAT fines and forfeitures of a particular person before conviction are illegal and void”. Thus imprisonment is imposed or a sum of money demanded. Should the victim not pay the money demanded, then a STATUTORY BODY, eg: the STATE DEBT RECOVERY OFFICE, (which is not established under Chapter III of the Australian Constitution as a COURT) orders that the victim’s DRIVING LICENCE and/or CAR REGISTRATION be CANCELLED. Should the victim be apprehended and arrested (made very possible by the use of computers installed in POLICE vehicles), he is swiftly imprisoned by a Magistrate – again, NO TRIAL BY JURY. I truly believe this is not only UNLAWFUL but REPREHENSIBLE.

55. I am accused of “Break and Enter dwelling house or building of Kamal ISSA, situated at 331 North Rocks Road, North Rocks...”.
56. 331 North Rocks Road, North Rocks is MY PROPERTY and Kamal ISSA is there WITHOUT MY PERMISSION, ie: he is TRESPASSING.
57. I have NEVER SOLD my property at 331 North Rocks Road, North Rocks to Kamal ISSA or anyone.
58. I have NEVER BEEN LAWFULLY DISPOSSESSED of my property at 331 North Rocks Road, North Rocks.
59. A “KANGAROO COURT” is “a court that acts unfairly, or dishonestly, or disregards legal rights, or disregards legal procedures”.
60. A KANGAROO COURT has NO JURISDICTION.
61. It is entrenched Constitutional and, more importantly, COMMON LAW in Australia that I cannot be dispossessed of my property UNLESS BY A JURY because MAGNA CARTA says that is so and the Attorney-General for Australia, Robert McClelland, in a speech to the 2009 Constitutional Law Conference on Friday 20 February 2009 at the NSW Parliament House, Sydney, re-affirmed MAGNA CARTA to be “the law of the land” in Australia.

62. On Thursday, 26 June 2008, in the Supreme Court of new South Wales, Queen's Square, Sydney, Associate Justice Joanne Ruth Harrison, in the matter of FIRST MORTGAGE COMPANY HOME LOANS PTY LIMITED v John Wilson, disregarded my legal right to TRIAL BY JURY and disregarded the legal procedure of my CHALLENGING THE JURISDICTION OF THE COURT. As a result, those "awards, doings and proceedings are not to be drawn into consequence or example", ie: I remain the RIGHTFUL OWNER of 331 North Rocks Road, North Rocks.
63. On Thursday, 26 June 2008, in the Supreme Court of new South Wales, Queen's Square, Sydney, Associate Justice Joanne Ruth Harrison, in the matter of FIRST MORTGAGE COMPANY HOME LOANS PTY LIMITED v John Wilson, made a "JUDGMENT" that "Mr Wilson is a bankrupt" which is UNTRUE because another KANGAROO COURT was conducted at the Federal Magistrates Court of Australia, Queen's Square, Sydney, on Tuesday 3 April 2007 at 11:29 Am by a "Federal Magistrate Drive" in the matter of DEPUTY COMMISSIONER OF TAXATION v John Wilson. Again I was denied my legal right to TRIAL BY JURY and, again, the legal procedure of my CHALLENGING THE JURISDICTION OF THE COURT was disregarded. As result, I remain and never have been "a bankrupt".
64. On my website of <http://www.rightsandwrong.com.au> I have recorded much of my Defence pertinent to the events that have brought about this TRIAL BY JURY with the Director of Public Prosecutions prosecuting me and, for the JURY to have the best knowledge, it is essential that the contents of my website be examined by the JURY.
65. The JURY are to determine what are the facts, what is the law, to judge the justice of the law, to determine if the law is being appropriately applied in this case, to determine the moral intentions of the accused, and for each JUROR to vote entirely according to his or her conscience.
66. The JURY are to JUDGE both the FACTS and the LAW.
67. It is an adage that "Law and Justice are not synonymous because a law can be unjust."

68. Because a Court is “a place where Justice is administered”, the JURY must judge the Justice of the law.
69. I have had two T-shirts printed up. One has “TRIAL BY JURY IS DEMOCRACY” and the other has “GOD AND MY RIGHT”.
70. I brought my fight against FRAUDULENT LOAN CONTRACTS to the Common Law Division of the Supreme Court of New South Wales in 1996 because I truly believe that “VARIBLE INTEREST RATES RENDER A CONTRACT VOID FOR UNCERTAINTY”. I filed a Statement of Claim for John Wilson v ST. GEORGE BANK LIMITED, matter number 20680 of 1996.
71. Under COMMON LAW there are eight essential elements for the CREATION of a CONTRACT and they are: (1) offer; (2) acceptance; (3) sufficient consideration; (4) capacity to contract; (5) intention to enter legal relations; (6) legality of purpose; (7) genuine consent; and (8) certainty of terms.
72. To my astonishment, on Tuesday 17 September 1996, “Master Greenwood” made a “Judgment” to dismiss my case because, as he said, “the rate itself is indeed certain”. From that point in time, my attempts to establish the TRUTH in Australian Court have met with nothing but rejection, as can be verified by the reading of the Transcripts and Judgments on my website.
73. To supplement my DEFENCE, I will be presenting EXHIBITS, such as my website (“RIGHTS AND WRONG”), some Compact Discs (eg: POLICE INTERVIEWS, etc.), my book (“BANKS AND JUDGES”), etc., to the JURY.
74. In [Roman mythology](#), **Mens**, also known as **Bona Mens** or **Mens Bona** ([Latin](#) for "Good Mind"), was the [personification](#) of thought, consciousness and the mind, and also of "right-thinking". (<http://en.wikipedia.org/wiki/Mens>)
75. IN CONCLUSION: This DEFENCE document presents my “Mens” – my “Mind” – my “Moral Intention”. If that is wrong or bad, then I have “**Mens Rea**” (a “Guilty Mind) and the essential element for the existence of an OFFENCE is met. If

my mind is good or right, then I have “**Mens Bona**” (a “Good Mind”) am “NOT GUILTY”, ie: I have NOT DONE WRONG.

SIGNATURE

Signature:
Capacity:
Date of signature:

[on a separate page]

AFFIDAVIT VERIFYING

Name: John Wilson
Address: 19 Elm Place, North Rocks, NSW 2151.
Occupation: Dentist.
Date:

I say on oath:

1. I am the Defendant.
2. I believe that the allegations of fact contained in the Defence are true.
3. I believe that the allegations of fact that are denied in the Defence are untrue.
4. After reasonable inquiry, I do not know whether or not the allegations of fact that are not admitted in the Defence are true.

SWORN

at:
Signature of deponent:
Signature of witness:
Name of witness:
Address of witness:
Capacity of witness:

AFFIDAVIT (Filed 1 March 2010):

AFFIDAVIT of John Wilson on

COURT DETAILS

Court: District Court of New South Wales
Division: Criminal
Registry: Parramatta
Case number: H37978164/1/2/3 2009/59266

TITLE OF PROCEEDINGS

Prosecutor: Director of Public Prosecutions
Defendant: John Wilson.

FILING DETAILS

Filed for: John Wilson, Defendant.
Contact name and telephone: John Wilson and 0401 413 650.

[on a separate page]

AFFIDAVIT

Name: John Wilson
Address: 19 Elm Place, North Rocks, NSW 2151
Occupation: Dentist
Date:

I say on oath:

1. I am the deponent.
2. I truly believe that Courts are Government. Government is the system of governing – and **to govern is to rule with authority**. Governance by the People is Democracy, ie: People Rule. Governance by Judges and Magistrates is Bureaucracy, ie: Rule by Officials. **Who has power in the Courts is the Government over the Land and the People.**
3. I truly believe that **Democracy is the Rule of Common Law** - which is the Law of the People, by the People and for the People and is made by the unanimous Judgments of the congregations of 12 Freemen as Jurors, who ask “So help me, God” for them to administer Justice, and that Justice is “the protection of rights and the punishment of wrongs”.
4. I truly believe that, **in a Democracy, the People have Sovereignty**, ie: they have “the ultimate authority to make and impose laws”.
5. I truly believe that **Bureaucracy is the Rule of Statute Law** – which is the Law made by Parliaments, that has no Jurisdiction over the People, and is administered by stipendiary Magistrates and Judges.
6. I truly believe that when People Rule in the Courts, there is Trial by Jury, which is “the Palladium of Liberty”, “the Bulwark of Freedom”, and “the only Defense against Tyranny”.

7. I truly believe that the inalienable Right to Trial by Jury underpins Truth, Justice, Freedom and Democracy for every man, woman and child.
8. I truly believe that a Court has no Jurisdiction to proceed summarily (ie: without a Jury) unless first obtaining the clear and unequivocal consent of both parties to do so – otherwise, any awards, doings and proceedings are not to be drawn into consequence or example, ie: any such Judgments are illegal and void.
9. Sir William Blackstone (1723 – 1780) wrote: “UPON these accounts the trial by jury even has been, and I trust ever will be, looked upon as the glory of the English law. And, if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened, when it is applied to criminal cases! But this we must refer to the ensuing book of these commentaries: only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbours and equals. A constitution, that I may venture to affirm has, under providence, secured the just liberties of this nation for a long succession of ages. And therefore a celebrated French writer ⁴, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, were strangers to the trial by jury.”
10. Magna Carta 1215 says, “No free man shall be taken indeed imprisoned, either dispossessed, or outlawed, or exiled, or in any manner destroyed, nor pass over him, nor send over him, except by means of the legal judgment of his own equals indeed the law of the land. To no one will we sell, to no one will we deny or delay right or justice”.
11. I truly believe the inscription on the magna Carta Monument in Canberra’s Parliamentary Triangle that says, “Magna carta is now seen as the traditional mandate for trial by jury, justice for all, accountable government, and no arbitrary imprisonment”.

12. I have never had Trial by Jury in any court actions in which I have either been a Plaintiff or a Defendant, and I have never given my consent to be without Trial by Jury.
13. I have repeatedly Challenged the Jurisdiction of the Court and never has that Challenge to the Jurisdiction of the Court been determined by a Special Jury, as is mandated by this legal procedure.
14. When I was charged by The Hills Police with “Remain on inclosed lands”, “Warrant W 61855619 executed Taxation”, “Warrant W 61855627 executed Taxation”, “Warrant W 61855635 executed Taxation”, “Warrant W 61855643 executed Taxation”, “Warrant W 61855651 executed Taxation”, and “Warrant W 61855660 executed Taxation”, by means of a “COURT ATTENDANCE NOTICE” (ie: an Indictment), listed before the BURWOOD LOCAL Court on Tuesday 23rd September 2008, there was a female “Magistrate” disregarded my legal right to Trial by Jury and disregarded the legal procedure of a Challenge to the Jurisdiction of the Court. I have acquired an audio tape of those proceedings which is labelled “NSW ATTORNEY GENERAL’S DEPARTMENT DUPLICATE OF MASTER TAPE RECORDING OF PROCEEDINGS IN A MATTER OF Police –v- John Wilson HEARD AT Burwood ON 25.09.08 TAPE LIBRARY NO. W3806 APPLN NO. – “ which I will produce and play to the Jury, if the Jury wishes to hear it.
15. I also have other audio tapes, namely “Department of Courts Administration DUPLICATE OF MASTER TAPE RECORDING OF PROCEEDINGS IN A MATTER OF Police –v- J. Wilson HEARD AT 9 + DOWNING CENTRE ON 26-9-97 TAPE LIBRARY NO. Z 3676 APPLN NO. 1259/-97”, “Department of Courts Administration DUPLICATE OF MASTER TAPE RECORDING OF PROCEEDINGS IN A MATTER OF POLICE –v- J. WILSON HEARD AT 9 + DOWNING CENTRE ON 27-3-98 TAPE LIBRARY NO. Z 4141 APPLN NO. 560/-98”, “NSW ATTORNEY GENERAL’S DEPARTMENT DUPLICATE OF MASTER TAPE RECORDING OF PROCEEDINGS IN A MATTER OF Police –v- John Wilson HEARD AT Blacktown ON 15.11.07 TAPE LIBRARY NO. W2809 APPLN NO. 287/07”, “NSW ATTORNEY GENERAL’S DEPARTMENT DUPLICATE OF MASTER TAPE RECORDING OF PROCEEDINGS IN A MATTER OF Police –v- John Wilson HEARD AT Burwood ON

22/01/08 TAPE LIBRARY NO. W3095 APPLN NO. 20/06”,
“NSW ATTORNEY GENERAL’S DEPARTMENT DUPLICATE
OF MASTER TAPE RECORDING OF PROCEEDINGS IN A
MATTER OF Police –v- John Wilson HEARD AT Burwood ON
18/03/08 TAPE LIBRARY NO. W3244 APPLN NO. 123/08”,
“NSW ATTORNEY GENERAL’S DEPARTMENT DUPLICATE
OF MASTER TAPE RECORDING OF PROCEEDINGS
89084/08/08 IN A MATTER OF AUSTRALIAN TAXATION
OFFICE –V- JOHN WILSON HEARD AT PARRAMATTA
LOCAL COURT ON WEDNESDAY 30TH APRIL 2008 TAPE
LIBRARY NO. V1252A APPLN NO. 467/06”, and “NSW
ATTORNEY GENERAL’S DEPARTMENT DUPLICATE OF
MASTER TAPE RECORDING OF PROCEEDINGS IN A
MATTER OF 88997/08 Taxation Office –v- John Wilson HEARD
AT Parramatta Local Court ON Wednesday 18 June 2008 TAPE
LIBRARY NO. V1294 APPLN NO. 673/08”. These I will also
produce and play for the Jury, if the Jury wishes to hear them.

16. When I was charged with “Unlawful entry on inclosed lands..”,
and “ Falsely represent to police act or event calling for
investigation...”, ”, by means of a “COURT ATTENDANCE
NOTICE” (ie: an Indictment) You are required to attend the
HORNSBY LOCAL Court on Tuesday 13th January, 2009”, which
was adjourned to Tuesday 24 February 2009 which was adjourned
to Wednesday 20 May 2009 when there was a male
“MAGISTRATE” with the surname of DAKIN who disregarded
my legal right to Trial by Jury and disregarded the legal procedure
of a Challenge to the Jurisdiction of the Court. I had previously
encountered this person at the LOCAL COURT BURWOOD on
Wednesday 30 July 2008 in the Matter of “Commissioner of
Taxation –v- John WILSON” when he also disregarded my legal
right to Trial by Jury and disregarded the legal procedure of a
Challenge to the Jurisdiction of the Court. He had me removed
from the Court by the Sheriffs and subsequently an “ARREST
WARRANT” was issued against me on the “GROUNDS” that
“FAILURE TO APPEAR AT BURWOOD LOCAL COURT ON
30 JULY 2008”. For this, I filed a Summons in the NSW Supreme
Court against the CROWN, Case No: 14646/08 – JOHN WILSON
v STATE OF NEW SOUTH WALES, for False Arrest when,
again, I demanded my Right to Trial by Jury and, again, was
denied it by an “ADAMS J”.

17. Annexed hereto and marked “A” is a copy of the Court transcript of the proceedings in the HORNSBY LOCAL Court for Wednesday 20 May 2009.
18. Annexed hereto and marked “B” is a copy of the Court transcript of the proceedings in the NSW Supreme Court, Sydney Registry for Monday 11 May 2009.
19. I truly believe that the constant and continual deprivation of my Right to Trial by Jury and caused distress and hardship to me and my family that is unconscionable, and I truly believe that many countless thousands of other Australians have suffered similarly because they, too, are being denied Right and Justice.
20. I truly believe that this case against me will be a “landmark” case that will lead to the redress of a yet unknown number of injustices of unlawful imprisonments and unlawful dispossessions inflicted on ordinary Australians over the last several decades.

SWORN at

Signature of deponent:

Signature of witness:

Name of witness:

Address of witness:

Capacity of witness: