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A few questions concerning the Kahre trial?

By Christopher Hansen,

Robert Kahre was unlawfully raided by the Feds a few years ago and is currently on trial in Las Vegas, Nevada concerning his payments and calculation using legal tender coins currently being minted by the U.S. mint. He and other brave Americans are on trial for paying Americans in gold and silver coins minted since the year of our Lord 1986. Here is Bobby's story in his own words.

But this article is not about the illegal raid or even the trial. It is about the meaning of words and phrases and gives you questions you can ask your own government, if you have the courage to question our current Fascist system. I am sorry to say that most of you reading this article are such cowards that you pay a voluntary income tax you probably do not owe. But not only are you too afraid to stand up, like men, and resist such tyranny, you don't even have the courage to DEMAND answers to the question poised herein. Sam Adams wrote about men like you and said:

"May history forget ye were our countrymen."

If you don't even have the courage to demand answers from government servants, to the questions herein, then I second Sam's request concerning men like you.

So please prove, at least to yourself, that you have the courage to write your alleged representatives and demand to know the clear and unequivocal definition to words and phrases like:

1. voluntary
2. dollar
3. money
4. legal tender
5. "fair market value"
6. "equal weights and measures"

Do you know what those words and phrases mean? I don't. Why? I cannot get clear and unequivocal answers. All I ever get is half truths or obfuscations. This article will probably will not answer those questions but only create more questions in your mind. But if you are confused then remember what the United States Supreme Court ruled in *Spreckels Sugar Refining Co. v. McClain*, 192 U.S. 397 way back in (1904) and it has NEVER been overruled:

Keeping in mind the well-settled rule that **the citizen is exempt from taxation unless the same is imposed by clear and unequivocal language**, and that where the construction of a tax law is doubtful, the doubt is to be resolved in favor of those upon whom the tax is sought to be laid...

So if you are confused you are "exempt." By the way...This beings up another few questions:

1. If you are exempt are you still a taxpayer?
2. Isn't an exempt taxpayer a non-taxpayer?
3. Can the IRS have dealings with non-taxpayers?
4. Do rules that apply to taxpayers apply equally to non-taxpayers?
5. If you are exempt from taxation are you required to file a 1040 return?
6. And why is it called a return? What are you returning?
7. Are you returning a part of the right you got from Congress that they created so you could have an income?
8. What Congressionally created right do you accept?

That reminds me of what Senator Elihu Root said during the 1913 debate regarding the first eighty-eight page income tax act:

"I guess you will have to go to jail. If that is the result of not understanding the Income Tax Law I shall meet you there. We shall have a merry, merry time, for all our friends will be there. It will be an intellectual center, for no one understands the Income Tax Law except persons who have not sufficient intelligence to understand the questions that arise under it."

Sorry. I get off track trying to keep all of the words and phrases that have "fluid" meanings straight.

Senator Ensign office told me that the "definition of a dollar is

actually quite fluid.”

By the way, what the heck does ‘fluid’ mean? Dictionary.com says it means: changing readily; shifting; not fixed, stable, or rigid: fluid movements. But Article I Sec. 8 of the Constitution says Congress shall have the power: To coin money, regulate the value thereof, and of foreign coin, and **fix the standard of weights and measures**;

So what is a ‘standard’? Dictionary.com says it is:

7. the authorized exemplar of a unit of weight or measure.
8. a certain commodity in or by which a basic monetary unit is stated. Compare gold standard, silver standard, bimetallism, monometallism.
9. the legally established content of full-weight coins.
10. the prescribed degree of fineness for gold or silver.

So how can a standard be both fluid and fixed when fixed means: “not fluctuating or varying; definite...”

Now what was it the Supreme Court ruled. Oh yeah... “the citizen is **exempt** from taxation unless the same is imposed by clear and unequivocal language...”

I guess that is why the IRS admits the Income taxes are “voluntary”?

And if you wonder what voluntary means... don’t worry. Senator Harry Reid explains that:

So now that you clearly understand what “voluntary” means (choke, gag) let us try to move on to other words and phrases on the list.

The most interesting thought about this whole thing is this: According to the IRS, not Congress, if you receive gold and/or silver coins minted since 1986 that are “other than money” you are supposed to calculate their value at “fair market value.” So the question must be asked: **Fair market value as calculated in what?**

If you calculate gold and silver coins minted since 1986 in "fair market value" using legal tender gold and silver coins minted since 1986 then what is their "fair market value"? It is, of course, their face value because the coins have a one to one fair market value just like Sacagawea dollars or President dollars of even Federal Reserve notes.



What gets interesting is when you ask what is the fair market value of a 2007 President Dollar if you calculate it using as your fixed standard one ounce silver dollar coins minted in 2007?

What is a 2004, \$100 Federal reserve note's fair market value as calculated in gold coins minted in 2004?

What is the standard of measurement that has been determined by Congress that we ignorant Americans are to use to calculate fair market value? Or do only "taxpayers" have to make those calculations? Should we use "dollars?" GREAT! **What is a dollar?**

Senator Ensign's office was very helpful in answering that question. After telling me that the definition of what a dollar was is actually quite fluid they went on to say that: "After contacting the **Congressional Research Service** with your request, they have directed me [Mary Mason Special Assistant] to a report that explains the definition of a dollar from the 1856 edition of the Bouvier's Law Dictionary...and [several] Black's Law dictionaries.

Here is what the Congressional Research Service told Senator Ensign's office to send me concerning the definition of what a dollar is:

Bouvier's Law Dictionary, 1856 Edition
DOLLAR, money. A silver coin of the United States of the value of one hundred cents, or tenth part of an eagle.
2 . It weighs four hundred and twelve and a half grains. Of one thousand parts, nine hundred are of pure silver and one hundred of alloy. Act of January 18, 1837, ss. 8 & 9, 4 Sharsw. Cont. of Story's L. U.S. 2523, 4; Wright, R. 162.

But remember that we must also look at the Black's Law definition recommended by the Congressional Research Service. My favorite that the CRS recommended was:

Blacks Law Dictionary, 7th Edition (current edition)
(No definition for "dollar" or "cent" found)

What? Thank goodness the Congressional Research Service also sent Ballentine's Law Dictionary, 3rd Edition (1969) definition:

dollar. The legal currency of the United States ; State v Downs, 148 Ind 324, 327 ; the unit of money consisting of one hundred cents . The aggregate of specific coins which add up to one dollar. 36 Am Jlst Money A§ 8. In the absence of qualifying words, **it cannot mean promissory notes**, bonds, or other evidences of debt. 36 AM Jlst Money A§ 8.

So we know without question that a dollar "cannot mean promissory notes." That is a rather important piece of information when determining what dollar value to use to determine the fair market value of property other than money that you receive as compensation for your services if you are a taxpayer.

The Congressional Research Service also was kind enough to send the definition of what a Federal reserve note and a Federal Reserve Note is/are (yes it did make me wonder why they included two different spellings):

Black's Law, Second Pocket Edition (1996)
Federal Reserve Note
Federal reserve note. The paper currency in circulation in the United States.
The notes are issued by the Federal Reserve Banks, are effectively non-interest-bearing **promissory notes payable to bearer on demand**, and are issued in denominations of \$1, \$5, \$10, \$20, \$50, \$100, \$500, \$1,000, \$5,000, and \$10,000.

Oh No!!! Another question! Payable to the bearer **in what?** Dollars? I don't know. Do you? Can you redeem an irredeemable promissory note with another one just like it? If so then when the bearer demands payment what do you actually pay them with? Can you give a bank another promissory note when they demand payment on you promissory note on your home? If so then when do you actually have to make a payment?

So if a Federal Reserve Note is a promissory note and a promissory note CANNOT be a dollar then is a FRN a dollar?

Let's ask Mr. Russel L. Munk, Assistant General Counsel for the United States Department of the Treasury. We found his answer from a letter he wrote that was submitted in into evidence in the first Kahre trial, just last year. He was kind enough to give a very clear explanation when he wrote:

Federal Reserve notes (*note the different spelling*) are not dollars. Those notes are denominated in dollars, which are the unit of account of United States money. The Coinage Act of 1792 established the dollar as the basic unit of United States currency, by providing that "The money of account of the United States be expressed in dollars or units, dimes or tenths, or hundredths." 31 U.S.C. § 371.

The fact that Federal Reserve notes may not be converted into gold or silver does not render them worthless. Bernard of the Federal Reserve board is quite correct stating: that the value of the dollar is its purchasing power. Professor Samuelson, in his text *Economics*, notes that the dollar, as our medium of exchange, is wanted not for its own sake, but the things it will buy.

I trust this information responds to your inquiry.

So what will 16 Federal Reserve note buy today? Currently is should buy one of these:



Now one of those same silver dollars can "buy" 6 gallons of gas. That is only 17¢ a gallon. WHAT A BARGAIN. And you thought, until you read this article, that the price of gas was outrageous. How can anyone complain about paying 17¢ a gallon?

It is interesting to note that Bouvier's Law Dictionary, 1856 Edition also says that a dollar is money. Remember that! It may come in handy when you are trying to figure out how to calculate any possible income tax you may owe if you are a "taxpayer."

Title 31 § 5103. Legal tender says:

United States **coins** and currency (including Federal reserve notes and circulating notes of Federal reserve banks and national banks) are legal tender for all debts, public charges, taxes, and dues. Foreign gold or silver

coins are not legal tender for debts.

So does the word “including” mean that only Federal Reserve Notes are legal tender or does it mean that coins and currency plus FRNs are legal tender? I don’t know.

But let us look at Title 31 “Money” § 5112. *Denominations, specifications, and design of coins*, to see what we can find to help clear up all these issues:

(a) The Secretary of the Treasury may mint and issue only the following coins:

(7) A **fifty dollar** gold coin that is 32.7 millimeters in diameter, weighs 33.931 grams, and contains one troy ounce of fine gold.

(8) A **twenty-five** dollar gold coin that is 27.0 millimeters in diameter, weighs 16.966 grams, and contains one-half troy ounce of fine gold.

(9) A **ten dollar** gold coin that is 22.0 millimeters in diameter, weighs 8.483 grams, and contains one-fourth troy ounce of fine gold.

(10) A **five dollar** gold coin that is 16.5 millimeters in diameter, weighs 3.393 grams, and contains one-tenth troy ounce of fine gold.

(11) A **\$50 gold** coin that is of an appropriate size and thickness, as determined by the Secretary, weighs 1 ounce, and contains 99.99 percent pure gold.

They look like this:



The silver dollar is also authorized by Congress as found at Title 31 “Money” § 5112. *Denominations, specifications, and design of coins* as section e.

(e) Notwithstanding any other provision of law, the Secretary shall mint and issue, in quantities **sufficient to meet public demand**, coins which—

- (1) are 40.6 millimeters in diameter and weigh 31.103 grams;
- (2) contain .999 fine silver;
- (3) have a design—
 - (A) symbolic of Liberty on the obverse side; and
 - (B) of an eagle on the reverse side;
- (4) have inscriptions of the year of minting or issuance, and the words "Liberty", "In God We Trust", "United States of America", "1 Oz. Fine Silver", "E Pluribus Unum", and "**One Dollar**"; and
- (5) have reeded edges.

They look like this:



So how can they be considered to be "other than money" if the courts and the IRS accept them as money and Bouvier's Law Dictionary, 1856 Edition says they are money and the Congressional Research Counsel told me to look to that dictionary to know what a dollar is?

I was not sure so I wrote to Senator Harry Reid and asked. I received the following letter in response from:

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224
June 19, 2008

This letter responds to your letter to Senator Harry Reid. He asked us to respond to you directly about whether a taxpayer must include in gross income the \$50.00 face value of an American Gold Eagle coin received as compensation for services or the significantly higher fair market value of the coin. As explained below, a taxpayer who receives an American Gold Eagle coin as compensation for services must include the fair market value of the coin at the time of receipt.

A taxpayer that receives property (other than money) as compensation for services must include in gross income the fair market value of the property at the time of receipt. The courts have consistently agreed with the IRS's long-standing position that coins with a **fair market value** in excess of their face value constitute property and that the **fair market value** in excess of such property received as compensation for services is income to the **taxpayer**. See, e.g., *Stoecklin v.*

Commissioner, 865 F.2d 1221 (11th Cir. 1989) (fair market value of silver dollars in circulation must be included in gross income); *Joslin v. United States*, 666 F.2d 1306 (10th Cir. 1981) (accord); cf. *Cordner v. United States*, 671 F.2d 367 (9th Cir. 1982) (shareholder who received a dividend paid with gold coins withdrawn from circulation must include the fair market value of the coins in gross income).

A taxpayer may realize gain or loss on a subsequent sale of the property (the coins). In determining any gain or loss on this subsequent sale, the taxpayer's basis in the property is the **fair market value of the property** at the time it was included **in income** as compensation for services.

I hope this information is helpful. If you have any questions concerning this matter, please contact Keith A. Aqui, identification Number 50-00171, at (202) 622-4920.

Sincerely, George Blaine
Associate Chief Counsel
(Income Tax & Accounting)
cc. The Honorable Harry Reid.

Other than money?

Fair market value of the *property*?

Is that fair market value as calculated in irredeemable FRNs or President dollar coins or silver American Eagle dollars or American Gold Eagle coins minted since 1986? What are we supposed to use in calculations?

If the coins are money and not just property then if you are a **taxpayer** do you need to determine their fair market value or just use their face value like you do with FRNs or President dollar coins of quarters etc.?

What if you are not a taxpayer and how do you become a taxpayer?

Are you born a taxpayer?

Then why don't infants have to file returns?

What if you have income that is less than \$6,000 a year? That is about the same as 102,000 Federal Reserve notes, at current fair market value exchange rates calculated in American Silver Eagles by the way.

What does a taxpayer use as a **fixed monetary standard** to determine the fair market value of property or money if the definition of the dollar is "fluid" and not fixed as apparently required by the Constitution since the Constitution does not give Congress the power to establish a fluid measurement but only fix a standard measurement?

Looks like you will need to call Keith A. Aqui, identification Number 50-00171, at (202) 622-4920 and ask **if you have any courage**. Be sure to get that answer in writing and send me a copy.

The letter from George Blaine, Associate Chief Counsel at the IRS refers to

Stoecklin v. C.I.R. 865 F.2d 1221 C.A.11, **1989**, *Joslin v. U.S.* **666** F.2d 1306 C.A.Utah, **1981** and *Cordner v. U.S.* 671 F.2d 367 C.A.Cal., **1982**.

All three of these cases were about silver coins minted BEFORE 1986. Although the Stoecklin case was ruled upon in 1989 it first came to trial in 1985 so he was calculating his income as a "taxpayer" in pre-1985 silver dollars that were no longer being minted.

So how can the courts have "consistently ruled" upon how a "taxpayer" is to deal with money received as compensation for services that is "money" currently being minted and declared to have the value of a dollar or dollars and, therefore, cannot be "property (other than money)" because they ARE money?

That is like saying that the courts have consistently ruled that you have to have a license to fly an airplane and cite pre-1900 court rulings concerning stagecoach drivers needing to be licensed because stagecoaches are a means of travel and so are airplanes. Would the Wright brothers have committed a crime when they first flew a plane in 1899 if there were court rulings about traveling in cars or motor cycles or bicycles?

Well silver and gold dollars minted since 1986 are VERY different from gold and silver coins minted before 1986. The 1986 silver dollar coin, for example, weighs in at one full ounce of .999 pure silver. That is **480 grains** of pure silver.

The old silver dollar minted in 1922 and before weighed in at **375.25 grains** of .999 silver. The new silver dollar is, therefore, 28% larger than the old fixed standard.

So is a compact car a mid-sized car? Is a size six also a size eight? Is a pint a quart? Is a ton a metric ton? Is a mile a nautical mile. Are three weeks a month? Do nine months make a year? Is a teaspoon a tablespoon? Is an irredeemable promissory note a dollar? Is a silver coin that weighs 480 grains of pure silver a silver coin that weighs 375.25 grains of silver. When you calculate you income as a milker rancher do you calculate using "fluid" measurements or do you use quarts. A a pint a quart?

So what is a dollar? I don't know. Do you. Please let me know as soon as possible using court cases concerning U.S. silver and gold coins minted after 1986. Or even better. Since Congress and not the courts are to set the standard of weights and measures concerning money maybe a law they wrote could be helpful? WHAT? There is no law? So that means that there is no **clear and unequivocal language** as to the construction of a tax law. And we all know what that means.

So what does a taxpayer or even a non-taxpayer use as a fixed standard of monetary measurement that is written in *clear and unequivocal language*, that has been established by Congress to calculate the *fair market value* of coins with dollar values minted on the reverse side of each coin to be that many dollars?

Congress was clear in Title 31 "Money" § 5112 that the value of the coin is to inscribed on the reverse side of each coin, stating:

(d)(1) United States coins shall have the inscription "In God We Trust". The obverse side of each coin shall have the inscription "Liberty". **The reverse side of each coin shall have the inscriptions** "United States of America" and "E Pluribus Unum" and **a designation of the value of the coin.**

And what is inscribed on the reverse side of these new coins proclaim at Title 31 "Money" § 5112?

(7) fifty dollar gold coin

(8) twenty-five dollar gold coin

(9) ten dollar gold coin

(10) five dollar gold coin

(e) (4) have inscriptions of the year of minting or issuance, and the words "Liberty", "In God We Trust", "United States of America", "1 Oz. Fine Silver", "E Pluribus Unum", and **"One Dollar"**

There is one small problem though. Congress made it so the ten dollar gold coin weighs 1/4 of an ounce while the twenty-five dollar gold coin weighs 1/2 and ounce and the fifty dollar gold coin weighs 1 full ounce. The five dollar gold coin is 1/10 of an ounce. So what is the fixed standard of a dollar? Is it 1/50 an ounce of gold or is it 1/40 an ounce of gold.

Please remember that Bobby Kahre used ONLY post 1985 silver and gold dollars in his calculation of what "fair market value" was to be determined by. Please also remember that a ONE DOLLAR Federal Reserve Note's fair market value when calculated in coins declared to have the value of ONE DOLLAR, by Congress at Title 31 "Money" § 5112 (e) is about 6¢.

So if Mr. Munk of the Department of the Treasury is correct and although Federal Reserve notes may not be converted into gold or silver does not render them worthless and that we should calculate their value with the things it will buy then we can calculate a \$100 Franklin on the face FRN to have the fair market value of \$6.

What can I say to end this never ending question creating article.

Prov. 20:10 Divers weights, and divers measures, both of them are alike abomination to the Lord.

Interesting that during the Constitutional debates that biblical verse was mentioned concerning the establishment of our monetary system.

2 Tim. 4:3 For the time will come when they will not endure sound doctrine; but after their own lusts shall they heap to themselves teachers, having itching ears;
4 And they shall turn away their ears from the truth, and shall be turned unto fables.

John 14: 15 ¶ If ye love me, keep my commandments.

So are you a Christian or a follower of the prophet Marx and his commandments in the Communist Manifesto of 1848?

2. A heavy progressive or graduated income tax.

5. Centralization of credit in the banks of the state, by means of a national bank with state capital and an exclusive monopoly.

Look into your heart. You know what you are because if you pay "A heavy progressive or graduated income tax"

calculating that tax in value of “notes” issued from a centralized bank with an exclusive monopoly like the Federal Reserve Bank then you are a practicing Marxist and not a Christian nor a Jew not a Muslim.

Matt. 7:20 Wherefore by their fruits ye shall know them.

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