

The Plattsmouth Journal

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THANKSGIVING DAY.

Thanksgiving day was first observed by the Pilgrims, who were thankful that they had five grains of corn apiece. In these extravagant times a man would not be thankful if he had 10,000 bushels of corn—which shows conclusively that we are prosperous. The trusts are doing a noble work in remedying this evil condition.

People have various unreasonable reasons for being thankful on Thanksgiving day. Some men are thankful they took a wife, and some are likewise thankful they didn't take two. Bachelor maids are thankful they are not "horrid bachelors," and a married woman is always thankful that her husband has a good wife. It is easy to be thankful if you go about it right.

But the thing people are most thankful about is their money—even though they came by it honestly. The more a man has, the more thankful he is it isn't less, and the less a man has, the less thankful he is it isn't more. Be thankful, therefore, that you haven't too much to be thankful for. Turkey tastes all the better for coming but once a year.

Let us be more grateful and thankful that we still live under that great emblem of American liberty and under the administration of Woodrow Wilson, who is conducting the affairs of the nation in such a wise course as will do the greatest good to the greatest number. In this he demonstrates to the entire world that he is the peoples' president.

The progressives dropped almost out of sight in the recent election in the east. At the same time the republicans showed gains. Everything indicates that the progressives are getting back into the band wagon—even George W. Norris, who slipped into the United States senate under false pretenses.

"Why will you be thankful?" we asked the old father and mother, down on the homestead farm. "Because our boys and girls, whom we are so proud of, will come home to see us again and make the old farm merry for a day, like it used to be all the time," he replied, with deep feeling.

In the face of the new constitutional amendment, the governor of Alabama has appointed Congressman Frank Glass to the United States senate. But that body is likely to protest. Representative Glass as the mirror of public opinion in congress. And then the senators never take a Glass too much, anyhow.

The president and his cabinet have decided not to be hasty with Mexico. But as Mr. Wilkins McCawber would say, something is likely to turn up any time. It is the speculators and moneyed men who are so anxious to plunge the United States into war with Mexico. But they can't push Woodrow Wilson into a war unnecessarily.

The great packing house of Morris & Co. has just elected president a man who started working for the company as a boy at \$4 a week. There are thousands of young men who have every advantage over him in the matter of education and opportunity, who are amounting to nothing because they cannot find a job good enough for them.

COMPETITION AND TRADE.

"Competition is the life of trade" is an old saw, but when chased down to its last analysis there comes a point where it could paralyze business so far as profit and remuneration to the competitors are concerned. From the viewpoint of the Journal, this paper cannot understand why business men should not be able to get along in a peaceable way and on a friendly basis, even though some circumstances should arise where a little sprinkle of ginger is applied to the business pie. One of the most dangerous positions for a city to drop into is the "rut," and go moping through the fall and holiday business season without any life to the fabric of business. And it is really fortunate when something happens to call the business bunch to its feet and gets them all stirred up to welding heat for the fall and winter campaign.

A newspaper uses heroic measures to increase its circulation, and the merchants should combine with inducements for the city and country to come to Plattsmouth to do their shopping, and although there may be competition in the inducements, this should all be done in a spirit of fellowship and good feeling. These campaigns waged for business are what makes Plattsmouth a popular place to trade, and the buying public enjoys trading with live wires. No harm, but, on the contrary, much good should and will result from the campaign now being waged to attract business to Plattsmouth, and the thousands of customers of Plattsmouth merchants from now until the last of next January will not be the losers, either. A little ginger occasionally, with a pinch of "pep," is a fine thing to put Plattsmouth in the class of up-and-coming.

The hunters are shooting men for deer in Maine and Wisconsin, for turkeys in Oklahoma and for quail in Illinois. No form of beast or fowl is so unlike the divine one of man that a "buck-fevered" hunter can tell the difference. The ordinary well is liable to be polluted. Of 79 typical farm wells examined in Minnesota, 59 were found to be polluted. The country well is a more fruitful source of typhoid than the city water supply. Much of the typhoid in cities is traced to persons who have spent vacations in the country.

The governor has let it be known that he is opposed to boys joining the state militia, as he says it breeds idleness. When this remark was made he also made the statement that he was opposed to militarism and was not enthusiastic over the state militia. He is evidently of the opinion that the money spent for its maintenance could be better employed.

The largest tree in the United States is said to be the "Mother of the Forest," a giant redwood in the Calaveras big tree grove in California. It is supposed to contain 140,649 board feet of lumber. There are, however, many claimants for the honor of being the "largest tree" and the "oldest tree," and these claims, according to foresters, cannot always be verified.

To make the administration strong the democrats of both houses of congress should stand by President Wilson in his policies. The people at large have great confidence in the president, and as the senators and congressmen are the representatives of the people, they are in duty bound to obey their dictations to stand by the administration. It is always best to stand by democratic measures, and we believe Woodrow Wilson is but living up to his promises to the people.

There never was a time when the Nebraska penitentiary was in a more prosperous condition and better shape than right now. Warden Fenton is certainly proving the right man for the position he occupies. Abraham Lincoln never said "Hello, Central," never dodged an automobile, never held a strap in a trolley car, never pushed a button for a light, never heard a phonograph and never posed for a motion picture, and yet Abraham Lincoln died only forty-eight years ago.

The Nebraska Manufacturers' association is conceded to be a lusty infant. And the prospect for growth could not be brighter.

Secretary Houston says that less than 12 per cent of the tilled land in the United States is yielding maximum returns. The same condition may prevail in all business. It depends on the maximum standard.

Debate on the currency bill opened in the senate Monday. The first two days will be occupied by speeches of Senators Hitchcock and Owen. The long special session promises to merge into the long winter session without the passage of the currency bill. The regular session begins next Monday.

At Atlanta, Georgia, all the churches have united in a campaign against the extreme forms of dancing, the immodest dressing of women and the suggestive plays. Undoubtedly such movements will have the moral if not the active support of many who are prominently connected with church activities.

The legally established whipping post in Delaware is up for a scoring in congress. Of course the whipping post is barbarous, but some way when we see the actions of some people, both male and female, we feel that the Delaware people are pretty near right, and is about the only thing that will keep some people within the bounds of the law.

The majority of governors of the United States seem to favor intervention in Mexico, and are ready to furnish troops, in case a call for them is made. The governor of Ohio can furnish 92,000 equipped militia, while Texas can furnish but 2,000. The inquiry was sent out from New York and not from Washington. Nebraska does not appear in the list, but she will be ready to answer the president's call, when it comes to that.

In many ways Thanksgiving is one of the most delightful events. It comes at a time when the rigors of winter are not yet at hand. We have at our disposal all the varied products of the soil, and the time for a season of partial rest for the farmer is at hand. One of its most delightful features, which has become quite general, is the gathering together under the old roof-tree of all the scattered sons and daughters on this day. Two, three and sometimes four generations thus meet around the festive old homestead, and thus fraternal ties are strengthened and filial piety encouraged.

People living on rural routes should see that their boxes are substantially fastened to a post set solidly in the ground, at a point convenient for the carrier to drive up to in all conditions of the weather. It has been very noticeable to us when we have had occasion to drive over rural routes that the boxes are not kept up in the condition required by the government. Uncle Sam has recently sent out an order to all postmasters where there is a rural route to order the boxes painted white and place the names on same in black letters not under two inches high. If this order were complied with by all the routes it would be a vast improvement to the owners as well as to the community and postoffice. Why not comply with the order before the ground freezes—it would make it much nicer for the carrier in the winter when the snow drifts—there are also a few stretches of road on which weeds have not been cut which will be had when the snow drifts this winter. A stitch in time may bring you mail more regularly during the winter months.

COMPLEX VALUES IN OF COME TAX MADE CLEAR

Questions About New Law's Meaning Answered by Legal Expert. Its Involved Phraseology Has Made It Difficult to Understand.

By CHARLES A. BRODEK, Member of the New York Bar Association, New York City.

It has been estimated that the income tax law will directly affect more than half a million citizens and aliens. Probably millions will be indirectly affected in one way or another by the provisions of the law for payment of the tax "at the source." In addition to those directly and indirectly affected, there are many who will be concerned to know whether or not they come within the provisions of the new law. In the light of more than twenty years' experience in handling tax questions from the legal standpoint, I have sought to set down the questions which would naturally come to the mind of the inquiring citizen and to set down briefly and in simple language the answers to such questions.

Preliminary Questions.

Q.—When was this law passed? A.—Oct. 3, 1913, and went into effect at once. It forms section 2 of the tariff bill.

Q.—Does it affect any income I received before the law was passed? A.—Yes; it taxes income from March 1, 1913.

Q.—Why did the law fix March 1, 1913, as the date from which income was to be taxed? A.—Because the United States supreme court had held some years ago that the government had no constitutional power to pass such a law, and it was necessary to adopt a constitutional amendment giving the government power to tax incomes. This constitutional amendment went into effect the last part of February, 1913, and congress thereupon passed the law on the very earliest date.

Q.—Has the government the power to pass a law in October, 1913, taxing income which I received before that date? A.—I have been advised that this provision of the income tax law is unconstitutional, because income received from March to October, 1913, had become part of capital at the time the law was passed. It is unquestioned that the federal government has no power to tax a man's capital directly. Whether this provision of the law is unconstitutional is extremely doubtful.

Q.—Have I the right to refrain from paying the tax on income received before the law was passed? A.—Yes, if you determined whether this tax was valid? A.—No; you must pay the tax next June, and you cannot await any court's decision.

Q.—Does that mean if this provision is held to be unconstitutional, I shall lose what I paid to the government? A.—No. You should pay that portion of the tax which relates to your income before October, 1913, under the law as it then stood. If the law is held to be invalid the government will then repay to you this part of the tax. The government has always been very fair in refunding taxes paid under any law found to be invalid.

Individuals Subject to the Tax.

Q.—What persons are subject to the tax? A.—Every citizen of the United States, whether residing at home or abroad, and every alien residing in the United States are taxable upon their entire net income minus specific exemptions. Every non-resident alien is taxable upon his net income derived from property in the United States or from carrying on any business or profession in the United States.

Q.—Who pays the tax? A.—The tax will be collected either directly from the taxpayer or through the employer, agent, trustee or other person having control of his or her income. The latter method is termed "collection at the source."

Corporations Subject to the Tax.

Q.—What corporations are subject to the tax? A.—Every corporation, joint stock company or association and every insurance company organized in the United States is subject to a tax of 1 per cent on its net income. Every foreign corporation is subject to a tax upon its net income from business transacted or capital invested within the United States.

Q.—Are there any corporations exempt from the tax? A.—Yes. Agricultural organizations, mutual savings banks, fraternal beneficiary societies, building loan associations, cemetery corporations and religious, charitable, scientific and educational corporations, business leagues, boards of trade and civic organizations are not subject to the tax. They are clearly defined in the law. But other corporations may not use these exemptions as a loophole.

Tax Returns.

Q.—What individuals are required to make tax returns? A.—Every person of lawful age subject to the tax having a net income of \$3,000 or over for the taxable year. Q.—Are there any individuals who do not make a tax return for the person for whom they act? A.—Yes. Executors, administrators, agents, receivers and conservators must make a tax return for the person for whom they act.

Q.—Suppose there are two or more guardians, trustees, executors, etc., must each make a return? A.—No; a return made by any one is sufficient. Q.—Who pays the tax? A.—Persons having net incomes not exceeding \$3,000, persons for whom the return is made by an employer or by a guardian, trustee, executor, etc., and who have no other income, and persons whose income is derived solely from dividends or stock in corporations which pay tax and whose net income does not exceed \$3,000.

Q.—Does a partnership have to file a return? A.—No; only if required by the commissioner or collector; each partner must make an individual return. Q.—What corporations must make returns? A.—All corporations subject to the tax.

Q.—When must the return be filed? A.—Individuals and corporations must file their return on or before March 1. Q.—For what period is the tax levied? A.—For the calendar year, except in 1913, when it is levied from March 1, 1913, only.

Q.—Suppose a corporation has a fiscal year which does not correspond with the calendar year; must it make its return for the calendar or for its fiscal year? A.—The tax is levied and the return must be filed for the calendar year, but the corporation may designate and use the last day of any month as the day for closing its fiscal year, provided it gives thirty days' notice to the district collector. The tax is levied for the fiscal year, and the return must be filed within sixty days after the close of the fiscal year and the tax

is levied on "tax dividends received by one corporation from another." Q.—Does the present income tax law take the place of the corporation income tax law of 1907? A.—Yes, but for the months of January and February, 1913, the old corporation income tax law remains in force. The present income tax law goes into effect from March 1, 1913.

Collection at Source.

Q.—What is meant by the collection of this tax "at the source"? A.—The law provides that all persons, firms and corporations paying interest, rent, salaries, annuities or other fixed or determinable annual or periodical gains, profits and income of any other person exceeding \$3,000 per year shall withhold 1 per cent and pay it to the government. The normal tax upon that portion of the income of the person who was entitled to receive the rent, salary, income, annuity, etc.

Q.—What must the return be filed? A.—An individual must file the return where he resides or has his principal place of business; a corporation or a nonresident must file where the principal place of business is located, and the trustee, guardian, executor, etc., must file the return where he resides or where the instrument under which he acts is recorded.

Q.—What must the return contain? A.—The gross income and certain deductions and allowances which will be explained shortly. Q.—Just the return be sworn to? A.—Yes. In case of a corporation the oath or affirmation is made by an officer.

Gross Income.

Q.—What does gross income mean under the income tax law? A.—Gross income is defined in the statute as sales, profits and income derived from salaries, wages or compensation for personal services, or from professions, vocations, businesses, trade, commerce or sales or dealings in real or personal property growing out of the ownership or use of such property, or from rents, dividends, securities, or the transaction of any lawful business, or gains, profits and income from any source whatever.

Q.—Does gross income include property acquired by gift or by will? A.—No, but it includes the income from such property. Q.—Will proceeds of life insurance policies paid upon death or paid upon the maturity of a term or upon surrender of a policy be included as income? A.—No.

Rates of Taxation.

Q.—What is the rate of taxation? A.—The normal rate is 1 per cent of the net income of the individual or corporation, as well as to individuals. In the case of individuals having a net income exceeding \$3,000 the law provides for an additional tax.

Q.—What is the rate of the additional tax against incomes of individuals? A.—One per cent on amount by which income exceeds \$3,000 but does not exceed \$5,000; 2 per cent on amount by which income exceeds \$5,000 but does not exceed \$7,500; 3 per cent on amount by which income exceeds \$7,500 but does not exceed \$10,000; 4 per cent on amount by which income exceeds \$10,000 but does not exceed \$20,000; 5 per cent on amount by which income exceeds \$20,000 but does not exceed \$50,000; 6 per cent on amount by which income exceeds \$50,000.

Q.—Are corporations ever liable for the additional tax? A.—Never. Q.—Can a corporation deduct from the additional tax, are the same deductions made as in calculating net income for the normal tax of 1 per cent? A.—Yes, with the exception that in calculating net income for the additional tax neither dividends nor amount of income on which tax is withheld at the source will be deducted.

Exemptions and Deductions.

Q.—Is there any exemption allowed to a taxable person? A.—Yes, \$3,000; and if the person is married and his wife lives with him, an exemption of \$3,000 for each wife. The additional \$3,000 shall be made from the aggregate income of husband and wife when living together.

Q.—Can guardians, trustees, executors, etc., deduct the exemption of \$3,000 for the benefit of the person for whom they act? A.—Yes. Q.—What deductions can be made by an individual for expenses, etc.? A.—1. Necessary expenses actually paid in carrying on business. 2. All national, state, county, school and municipal taxes. 3. All losses actually sustained in trade or arising from fire, storms or shipwreck, or otherwise. 4. Clerk hire and found worthless and charged off. 5. Reasonable allowance for wear and tear. 6. Dividends received from corporations which pay tax on such dividends. 7. Dividends received from corporations which pay tax on such dividends. 8. Amount of income on which tax is paid or withheld at the source, provided such income does not exceed \$3,000 or is irrevocably assigned to the United States government. 9. Salaries of the present president of the United States, present judges of the federal courts and the compensation of all officers, employees of a state or a political subdivision of a state, provided the same are paid by the United States government. 10. The exemption of \$3,000 or \$4,000 for couples living together. As above explained, these deductions are allowed in calculating net income for the normal tax. For the additional tax items 7 and 8 are not allowed.

Q.—Can personal, living or family expenses be deducted? A.—No. Q.—Is an assessment for local benefits deemed a tax and deductible as such? A.—No. The statute expressly provides that such assessments shall not be deducted.

Q.—Can any deduction be allowed for cost of new buildings, improvements or betterments made to increase the value of any property? A.—No. Q.—What is meant by the necessary expenses paid in carrying on business? A.—Clerk hire, rent, lighting, heating, stationery, delivery charges, etc.

Q.—Suppose I have allowed state or local taxes to accumulate for several years; can I deduct the payment of accumulated taxes, or can I only deduct the taxes which fell due within the year for which I make an income tax return? A.—You may deduct all the tax payments, whether they were accumulated or not.

Q.—What deductions are allowed to corporations? A.—The ordinary and necessary expenses incurred in maintaining and operating the business and properties of the company, including rentals. 2. All losses actually sustained and not compensated by insurance or otherwise, including reasonable allowance for depreciation. 3. Interest paid on bonded and other indebtedness not exceeding one-half the interest-bearing indebtedness and its outstanding capital stock. 4. All taxes, national or state or imposed by a foreign government.

Q.—Is a corporation entitled to an exemption of \$3,000 or \$4,000 like an individual? A.—No. There are no exemptions in the case of corporations; they are allowed to deduct the expenses, losses, interest and taxes as already explained.

Q.—Can a corporation deduct dividends received from other corporations? A.—No, while this appears to result in a double taxation of a tax of 1 per cent having been paid upon the dividends by the corporation from which they were received, corporation which they were received, corporation

entitled to receive more than \$3,000 a year has business expenses which it can deduct from its net income below \$3,000 in all cases, by filing a statement of such business expenses, losses, etc., obtain a full payment from the collector. A.—No; you must still deduct 1 per cent. He will be entitled to obtain the benefit of such deduction by application to the collector.

Q.—What do I do with the amounts I deduct from payments of salary, interest, rent, annuity, etc.? A.—You hold them until you receive your return for each deduction at the same time you make your own return. You pay the amount of the deductions to the collector between June 1 and June 30. Individuals and corporations will be notified of the amount upon which they are liable on or before June 1.

Publicity of Returns.

Q.—Are the returns made by an individual or corporation open to the inspection of the public? A.—All returns, whether by individuals or corporations, are public records; but they may be inspected only upon the order of the collector under rules and regulations to be prescribed by the secretary of the treasury and approved by the president.

Q.—Can income tax returns be inspected by the tax officers of any state, city or county? A.—No, except as they may be inspected by any citizen, as explained in my answer to the preceding question. The only exception is that officers of any state which imposes a general income tax may have access to the returns.

Penalties.

Q.—What is the penalty for neglect or refusal to make a return on time? A.—Five per cent of the amount of the tax is added and 1 per cent per month thereafter it becomes due, and a fine may be imposed of not less than \$20 or more than \$1,000 in the case of an individual or not more than \$10,000 in the case of a corporation.

Q.—What is the penalty for making a false or fraudulent return? A.—A fine not exceeding one per cent of the amount of the tax or both, in the case of an individual or officer of a corporation and a fine not exceeding \$10,000 in the case of a corporation.

Q.—Is there any penalty if a landlord or employee or other person from whom a tax must be deducted at the source files an exemption or \$3,000 for a married couple? A.—Yes; a fine of \$20.

Q.—Can a man's or company's books and accounts be examined by the collector? A.—The United States collector may compel attendance, production of books and testimony in cases where persons are summoned by the collector.

Sneaky.

Lawyer—Sneaky sort of man? What do you mean, sir? Witness—Well, sir, he's the sort of man that'll never let ye straight in the face until yer back's turned.

Snake Half Cooked in Oven.

When Mrs. Guy Keine of Valencia, Kan., started to make cottles one day recently she got the table over for her gasoline stove, and the snake, which she had placed it on the stove without opening the door. A few minutes later, as the oven grew hotter, she heard a rattle on the stove. She waited until the noise ceased. Then she opened the door and found a half baked rattlesnake three feet long.