

A NIXON TEST SEEN IN ELECTION FEB. 5

Pennsylvania to Fill House
Seat in Special Contest

Special to The New York Times

JOHNSTOWN, Pa., Dec. 26

—A special Congressional election that political observers believe will be a test for the Nixon Administration and a portent of other election results in 1974 will be held Feb. 5 in Pennsylvania's 12th Congressional District.

The election will pit Pennsylvania State Representative John P. Murtha, a 41-year-old car wash owner, against Harry M. Fox, 49, former administrative assistant to Representative John P. Saylor, who died on Oct. 28. Mr. Saylor was the ranking Republican member of the House Interior Committee at the time of his death.

Mr. Murtha was chosen as his party's nominee by the State Democratic Executive Committee. Mr. Fox was selected by a convention of the 109 members of the Republican County Committee in the 12th Congressional District. There is no provision in Pennsylvania for a primary election. Each party has its own rules for selection of a nominee, and the date of the special election is designated by the Governor.

Mr. Murtha has said that loss of confidence in the Nixon Administration, inflation and the energy crisis will be issues in the campaign. His view is shared by Pennsylvania's Democratic State Chairman, Dennis E. Thiemann, who said that the election "will be a test of the Democratic party's posture in national affairs."

What People Think

"I don't think it will test Watergate as much as what people think about the Administration in Washington," Mr. Thiemann said.

He added that he believed the Democratic and Republican National Committees would take active roles in the election, and that the resources of the Democratic State and National Committees and of the Democratic Congressional Election

Committee would be used in the campaign.

Mr. Murtha, who lives in a suburb of Johnstown, was virtually unopposed for the Democratic nomination. However, Mr. Fox was nominated only on the fifth ballot.

Mr. Fox was on Representative Saylor's staff for 24 years, 20 as administrative assistant, and House officials have named him administrator for the Congressional District pending the special election.

Mr. Fox, a 6-foot-4-inch Navy veteran, has said that the principal issue in the campaign will be honesty, integrity and restoration of the public's faith in government. He has offered to put a \$42,500 limit on campaign expenses if his opponent will do the same.

Mr. Murtha has rejected the proposal.

Spending Bill Planned

Mr. Murtha has said that he will introduce a campaign spending bill sponsored by the administration of Gov. Milton J. Shapp at the next session of the State House of Representatives. He did not, however, detail the guidelines that he planned to follow in his campaign.

Mr. Murtha's bill would limit spending for state officers to one-half of the annual salary of the office being contested plus 15 cents for each resident of voting age in the election district. This formula would set a limit of \$75,000 in Congressional races.

Mr. Murtha will enjoy a Democratic registration advantage of 7,000 voters in the district, which includes five counties and part of another. But in industrial Cambria County, Democrats hold a 20,000-vote advantage. Despite that, Mr. Saylor had been re-elected every two years since 1949. However, since the registration is 50.9 per cent Democratic and 47.3 per cent Republican, the district is considered to be in a "swing" category.