

Johnstown Tax Declared Invalid

PHILADELPHIA (AP)—The \$10 "occupation and occupational privilege" taxes of the city of Johnstown and the borough of Franklin are unconstitutional, the Pennsylvania Supreme Court ruled yesterday in upholding a decision by the Cambria County Court.

In a majority opinion, Justice Michael J. Eagen said the taxes levied by the ordinance lacked the uniformity required by Article 4 of the Pennsylvania Constitution because those persons earning less than \$600 a year were excused from paying them. He said Article 4 states that all taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax.

Upset Decision
The state Supreme Court was asked last Oct. 1 by the city of Johnstown and the borough of Franklin to upset the decision by the Cambria County Court on Jan. 3, 1963. The city and borough cited a similar tax imposed by Allentown which the Supreme Court upheld last March 19.

Johnstown city solicitor Samuel R. Di Francesco, Sr. told the Supreme Court Oct. 3 that the occupation taxes are the same as the ordinances involved in the Allentown case except the Johnstown and Franklin taxes exempt those residents and non-residents who earn \$600 or less. Eagen said that "the tax levied by the ordinances before us lacks uniformity and is in violation of the constitutional provision."

Allentown Tax
In an apparent reference to the Allentown tax, Eagen noted that the legal power of the municipality to levy a true occupation privilege tax was sustained by the Supreme Court.

In a dissenting opinion, Justice Herbert B. Cohen said: "Here, the tax is on the privilege of engaging in an occupation. Is it so obviously unreasonable to state that the privilege may be taxed only if its exercise produces a return above a certain amount, that the receipt of less than such amount indicates that exercise of the privilege provides either an insufficient basis for taxation or is to 'diminimus' to require engaging in all the administrative and enforcement activity otherwise required. In short, may we classify in fact without violating the Constitution?"

Immediate Jump
"The flaw in the majority opinion is in its immediate jump from concluding that the uniformity clause applies to privilege as well as property taxes, thus concluding that the tax levied here lacks uniformity."

Both the corporate net income tax and the capital stock tax imposed by the Commonwealth and paid by Pennsylvania corporations are filled with deductions and exemptions. I cannot subscribe to a system of jurisprudence that permits exemptions from taxation to corporations and at the same

Colorado Prof Gets Post Here

Anthony M. Pasquariello, chairman of the department of Spanish, Italian and Portuguese at the University of Colorado since 1958, has been named head of the same department and professor of Spanish here.

His appointment, approved at last month's meeting of the Board of Trustees, is effective July 1.

Pasquariello fills a position that was created earlier this year following a reorganization of departments in the College of Liberal Arts.

H. Tracy Sturcken, associate professor of romance languages, has acted as department head since July 1.

Pasquariello received his baccalaureate degree from Brooklyn College, his master's degree from Columbia University, and his doctorate from the University of Michigan.

This past summer he conducted research in Spain under an American Philosophical Society grant-in-aid.

In 1961, he served as director of the National Defense Education Act Institute for Teachers of French, German and Spanish. The following year he was director of the NDEA Institute for teachers of German and Spanish, both at University of Colorado.

Before joining the faculty at Colorado, Pasquariello was assistant professor at the University of Michigan. He joined the faculty there in 1948 as a teaching fellow.

A member of the Modern Language Association, the American Association of Teachers of Spanish and Portuguese and the American Association of University Professors, Pasquariello has conducted research on contemporary literature in Spain with principal research in the Spanish contemporary theatre.

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PSU To Inaugurate New, More Extensive Art Display Program

The University has never been characterized as a miniature Metropolitan Museum of Art but that might be changed with the announcement of plans for a more extensive art display program.

Richard Fraenkel, director of exhibitions recently appointed by the College of Art and Architecture, outlined his duties as "bringing the outside in to the campus."

The primary role of the new exhibitions director lies in "framing an exhibition policy for the University."

Far Removed
In Fraenkel's opinion, since Penn State is so far removed from any cultural center of considerable size, students should have an opportunity to view first-rate art on campus.

During the past term the student body was given such an opportunity when an exhibition entitled "Aspects of the Apollonian Ideal" was held. Fraenkel feels there is a definite need for an extension of the University's art displays.

However, the campus lacks any secure place in which to exhibit artistic creations. At the present time the most centrally located "art gallery" on campus is the Hetzel Union Building. It is limited, though, by a lack of security. Valuable art works cannot be housed there because of the danger involved.

HUB Renovation
Tentative plans now include a renovation of the HUB to enable its displaying of well-known works of art. This, however, is merely a beginning—Fraenkel's long-range plans hopefully involve the construction of a museum or art gallery at the University. He stated that "a university this size should have a place where . . . it could have an intensive display of a permanent collection" of art works.

As director of exhibitions Fraenkel hopes to present art shows in the future which will reflect the philosophies of artists "from diverse times." He wants to display works not normally seen together and thus to "touch new nerve endings."

A university can, Fraenkel feels, educate the public as to the real meaning of art. Such a project can be accomplished by combining various sources, and this is what Fraenkel desires as a result of his proposed exhibitions.

Need Museum
To facilitate an extension of art on campus, he again stressed the need for a museum or gallery. He feels that such an addition would improve the Department of Art History in the sense that exhibits could be tied in with art courses.

Fraenkel said he hoped that both students and faculty members would help to further the proposed art plans.

Excellent Health
Whatever the cause, party delegates were told by the party president, Kumaraswami Makaraj Nadar, that he found Nehru in excellent health and "spirits" on visiting him yesterday morning.

Organizational work and committee meetings have occupied the delegates of the party since Sunday. A tired and listless participant, Nehru was ordered to bed Tuesday by his doctors. The doctors first advised him to take a complete rest for two weeks, then modified that to "for the present."

Thousands streamed into Bhubaneswar, 100 miles southeast of New Delhi, for today's open meeting. Nehru ordinarily delivers the keynote speech.

Nehru has shown some weakness for months. His manner of getting out of cars was often laborious. He has dozed off in the presence of visitors. Outside doctors said this could mean hardening of the arteries. They said his illness in Bhubaneswar would be consistent with such a condition, which involves gradual decline.

Called 'Sterile'

Rocky's Program for N.Y. Draws Criticism

ALBANY, N.Y. (AP)—Gov. Nelson A. Rockefeller drew applause from the New York Legislature yesterday as he pressed home his no-tax-increase pledge, but the program he unveiled in his "State of the State" message quickly ran into sharp criticism.

Democratic legislative leaders charged it was a "sterile, barren" program because, they said, the Republican governor had been "bitten by the bug of presidential ambition" and was distracted from state affairs.

The state AFL-CIO declared Rockefeller's message to the legislature's opening session "proposed nothing" for the working man.

As might be expected, Republicans took quite another view. GOP State Chairman Fred A. Young said Rockefeller's proposal to balance his budget without raising taxes "is a feat . . . that will not be unnoticed or unappreciated elsewhere in America."

The program sketched by the governor contained few specifics and carefully avoided the kind of major controversy that would keep him tied to his desk in Albany and restrict his activities in the GOP presidential primaries.

His principal proposals to the GOP-controlled legislature: Repeal of the state's full-time

LBJ Goals Praised By Congressmen—

(Continued from page one) Cornack, D-Mass., said the message was "a progressive, positive approach to the problems facing our nation."

Humphrey Comments
Sen. Hubert H. Humphrey of Minnesota, assistant Democratic Senate leader, said it was "a stirring message of reassurance and devotion that we are going forward to complete the unfinished business of this great nation."

But Sen. Richard B. Russell, D-Ga., a leader of the anti-civil-rights forces in the Senate, redeclared war on that issue, saying: "Under the existing circumstances the odds in favor of this shortsighted and disastrous legislation are very great. We can only tighten our belts with increased determination to fight the good fight for reason and the Constitution with every weapon at our disposal."

Hits Hard
Senate Democratic Leader Mike Mansfield of Montana called the speech "a hard-hitting message, without wasted verbiage" and declared: "The responsibility is now up to us, not the President." He added a "bravo" for the budget goal.

House Speaker John W. Mc-

Nehru May Visit Party Convention

BHUBANESWAR, India (AP)—Prime Minister Nehru has so rebounded from his latest illness there is speculation he may attend the first open meeting of the ruling Congress party's 1964 convention today.

A medical bulletin said Nehru suffered a slight weakness in his left arm and leg. These show signs of improvement, it said, and, although his blood pressure is still high, his general condition is very satisfactory.

In the absence of more detailed information from Nehru's doctors about his left limbs, there was talk among outside medical experts that the Indian leader, 74, may have suffered a mild stroke.

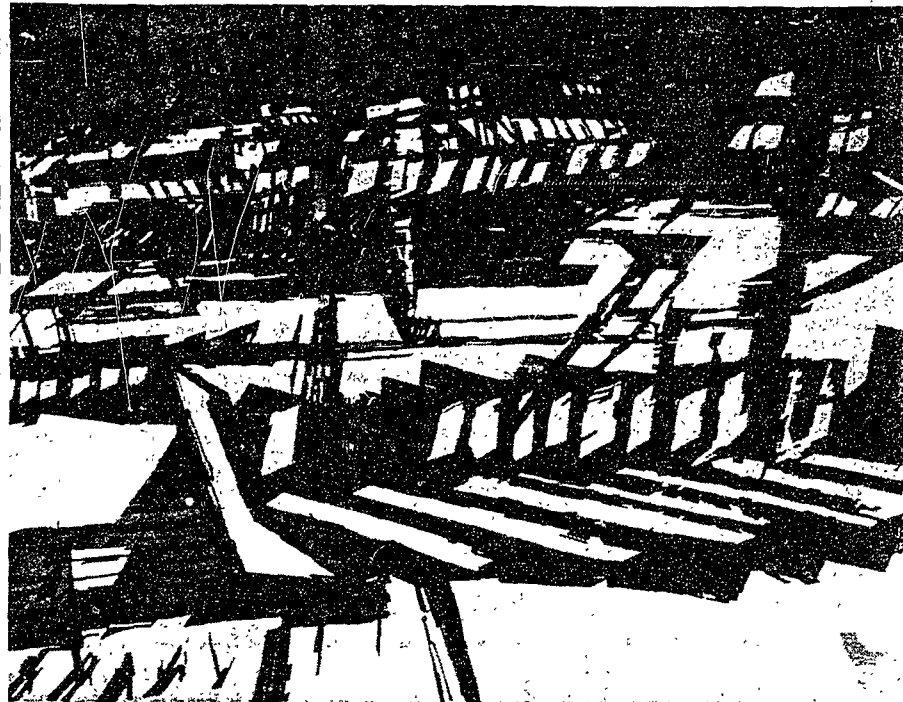
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DEAD SHIP, a linocut by Malte Santorius, is part of the exhibit "Contemporary Prints from Germany - II" in the gallery of the Hetzel Union Building. The exhibition, which will continue through Jan. 27, is part of an international exchange sponsored by the Memorial Union of Oregon State University. Artwork in the display was selected by Gordon W. Gilkey, chairman of the Oregon State University art department.

Committee Ignores Govt.; Plans 2nd Trip to Cuba

A trip designed to let American students see what is taking place in Cuba today is planned for next June by the Student Committee for Travel to Cuba.

About 500 persons will be able to participate in the trip this year, the committee said. Last year, the U.S. government indicted three students who went on the committee's first trip, attempting to imprison them for 15 years and fine them \$20,000 each.

Despite this action, the committee said, it intends to continue the trips and welcomes anyone who wishes to participate. Interested students should write: Student Committee for Travel to Cuba, P.O. Box 2178, New York 1, N.Y.

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ATTENTION!
All persons who signed up for the HUB Travel Committee's New York World Fair Trip next Spring must attend a meeting Tuesday, January 14, 1964 at 7:30 p.m. in the HUB Ballroom.
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HUB Travel Committee

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