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 Special to The New York Times

SAN FRANCISCO, Oct. 10—

Two reasons make it improbable that President Nixon will nominate Gov. Ronald Reagan as Vice President, in the view of political observers here.

The first is that the Constitution, while not prohibiting, does oppose selection of a President and Vice President from the same state. Mr. Reagan is a resident of a Los Angeles suburb, and Mr. Nixon is registered to vote from his home at San Clemente, Calif.

The second reason is that President Nixon has said on occasions over the years that he considers Mr. Reagan to be shallow, lacking a proper grasp of issues. The President has given the Governor high political marks as a public speaker, however.

The Constitution's 12th Amendment, adopted in 1804, created the Electoral College. The amendment opens with this language: "The electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall be not be an inhabitant of the same state with themselves..."

This has been held to mean that if candidates from the same state were nominated by a political party, their ticket could not receive the electoral vote of their state even if

**Constitutional Question May Arise—Nixon Coolness Also Seen as a Factor**

they carried the state.

The language, or anything like it, is not repeated in the 25th Amendment, under which President Nixon now must proceed to nominate a new Vice President for consideration by the two houses of Congress, which must each by majority vote approve the nomination.

Constitutional scholars here divided on the question. Jesse Choper, Professor of Law at Stanford University, said he believes the "geographical requirements would still be in force."

**Question Parried**

For the last two months Mr. Reagan has been asked frequently whether he would take the position if it were offered. His answers have been either to joke or to label it "a hypothetical question that I've never even thought about."

Today Mr. Reagan was notified of the Vice President's resignation by a call from a member of the Agnew staff, not a call from the White House.

"I am shocked and saddened," Mr. Reagan said at a news conference **after the call.** "Ted Agnew was and is a friend of mine, and none of the details of the case or what he

and therefore I have no further comment to make. There are no questions that you could ask or that I could answer about this."

Mr. Reagan was asked, "Are you available as a nominee if the President asks you?" He replied, "I don't have any comment on anything further at this point."

In 1968 Mr. Reagan was one of Mr. Nixon's rivals for the Republican Presidential nomination, which Mr. Nixon won easily. Soon after winning the election, President Nixon bought his home in San Clemente and in the summer of 1969 he and his wife became registered voters in California. He had been elected as a New Yorker.

In 1972, Mr. Nixon was the beneficiary of the "favorite son" pledge of the California Republican convention delegation. In 1968 this delegation was the base on which Governor Reagan built his Presidential nomination campaign.

While their relations have been amicable during the Nixon Presidency, the rivalries cut deeply in 1968. As early as May, Mr. Nixon told reporters that he would not pick Mr. Reagan as his Vice Presidential candidate if the Nixon forces won the Presidential nomination.

Among the potential Vice Presidential nominees that Mr. Nixon listed in one interview in Astoria, Ore., in May, 1968, was T. Agnew, Governor