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Cox's Denial

TUCSON (Ariz.) — Former Watergate special prosecutor Archibald Cox denied last night a Sunday New York Times report that said he and his staff had discussed naming President Nixon as an unindicted co-conspirator in a Watergate cover-up indictment.

The Times quoted well-informed sources as saying that one reason Cox was dismissed by Nixon was a White House fear that a grand jury would name Nixon as an unindicted co-conspirator. The White House said last night that such a reason for Cox's dismissal was "false."

The Times story quoted the sources as saying such an approach had been discussed by Cox and his staff as a solution to the constitutional restraint against indicting a President. It said no serious consideration was given to the concept.

"There is no basis whatsoever for any supposition that I ever considered naming the President as an unindicted co-conspirator in an indictment," Cox said last night.

In San Clemente, Calif., White House deputy press secretary Gerald D. Warren said, "Any story that Mr. Cox was dismissed for such a reason is totally false. Mr. Cox was dismissed because he refused to abide by a presidential instruction."

Cox declined comment when asked if he and former attorney general Elliot L. Richardson had ever discussed whether the naming of Nixon as a co-conspirator was under consideration. The Times story quoted Richardson and Cox as saying a discussion did take place.