

Nixon Subpoena Issue Studied

Washington

Special prosecutor Archibald Cox said yesterday he is studying whether President Nixon can be subpoenaed to testify before the Watergate grand jury here.

"I say there is a possibility of that," Cox said under questioning at a news conference. "Whether it would be the best way to pursue the investigation and whether we would have any legal grounds are both open to questions."

He said his Watergate special prosecution force is also trying to determine whether it would be constitutional to indict a President before impeachment proceedings.

"There are a whole host of legal questions that we need to know about, regardless of whether the facts surely would justify action in those directions," he said.

At the conclusion of his news conference, Cox and special assistant James F. Neal, who has been assigned to the Watergate prosecution here, met privately with presiding U.S. District Judge John J. Sirica in an unannounced conference in Sirica's chambers.

Sirica scheduled a rush hearing for today without further explanation.

The meeting with Sirica, it was learned, was arranged at Cox's request before the week-long postponement in the Senate's watergate hearings.

Ousted White House counsel John W. Dean III had been scheduled to start testifying today under a grant of immunity from any prosecution based on his congressional testimony.

At his news conference, Cox also announced a series of top appointments and disclosed that the White House had just responded to his request for access to presidential logs, diaries and other papers.

He said that a packet with a letter from White House special counsel Fred Buzhardt turned up at the Watergate special prosecution force's offices as he was going to the news conference.

The top appointments Cox announced included Henry S. Ruth Jr., 42, of New York as deputy special prosecutor, the first of two such deputies; Philip A. Lacovara, 29, as legal counsel in the Watergate special prosecution force, and James S. Doyle, 38, as special assistant in charge of public affairs.

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