

COX STAFF LOOKS AT IMPEACHMENT

Prosecutor Concedes Study of Whether a President Can Be Subpoenaed

By ANTHONY RIPLEY

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WASHINGTON, June 18 —

The Watergate special prosecutor Archibald Cox, conceded today that his office was studying the questions of whether a President might be subpoenaed in a criminal case and whether a President might be indicted prior to impeachment.

Mr. Cox made no formal statement in the matter but instead spoke in response to questions by reporters at a news conference.

He stressed that it was "wrong to draw any inferences" from the study, which he described as a general review of the laws, a review he said was needed in connection with the Watergate case.

"It's a possible avenue of legal inquiry and, therefore, one that I have to be informed on," Mr. Cox said.

He said that the possibility of acting affirmatively on the answers to such legal questions would be "another matter."

Subpoena for Jefferson

Chief Justice John Marshall, while sitting as a circuit judge in Richmond as Supreme Court Justices often did, issued a subpoena for President Thomas Jefferson. It was in connection with the treason trial of Aaron Burr.

The subpoena was never served and President Jefferson never arrived.

Historians say that no president has been indicated for a crime while in office. President Andrew Jackson was impeached by the House of Representatives, and brought to trial before the United States Senate, but he was not convicted.

Mr. Cox said that the White House responded today to requests made June 7 and 8 for documents relating to the Watergate case.

He said he had glanced at an accompanying letter signed by J. Fred Buzhardt Jr., special counsel to the President, but had not seen what was included in the papers sent from the White House. His office said later it was a "substantive reply" but would not characterize it further.

Among other items, Mr. Cox had been seeking logs of an estimated 35 meetings held between President Nixon and John W. Dean 3d, the President's former counsel. The meetings allegedly took place from late January to early April this year.

The logs of those meetings were presumably part of today's White House reply.

'All Its Ramifications'

Mr. Cox also said that the investigation into the affairs of the International Telephone and Telegraph Corporation was "in front of us with all its ramifications."

The I.T.T. case was turned over to the special prosecutor June 8 by Attorney General Elliot L. Richardson, who said it had begun to overlap with the Watergate affair.

At the time the case was turned over by the Justice Department, Government attorneys were looking into possible instances of perjury before the Senate Judiciary Committee last year. The Senate had asked for a report on possible perjury, and Mr. Richardson had promised it. That report now presumably goes to Mr. Cox.

He also announced a number of appointments to his staff, many of them reflecting his own Ivy League background as a professor at Harvard University law school.

From New York

His major appointments today included Henry S. Ruth Jr., who departs as director of the Mayor's Criminal Justice Coordinating Council, in New York, to become deputy special prosecutor; Philip A. Lacovara, Deputy Solicitor General of the United States, who becomes counsel to the Watergate special prosecution force, and James Doyle, a national reporter for the Washington Evening Star News, who becomes a special assistant.

Mr. Ruth, 42 years old, was graduated from Yale University and the University of Pennsylvania law school and spent almost nine years in the Justice Department.

Mr. Lacovara, 29 was graduated from Columbia University School of law and served as special counsel to the former New York City Police Commissioner, Patrick V. Murphy.

Mr. Doyle is 38 and a graduate of Boston College and the Columbia University graduate school of journalism. He also studied at Harvard as a Nieman fellow.

Six other appointees to the Watergate staff announced today are all graduates of Harvard law school and all live in Washington or its suburbs.

They are Peter M. Kreindler, 28; Peter F. Rient, 25; George T. Frampton Jr., 28; Robert M. Witten, 26; Nathaniel H. Ackerman, 25; and Philip J. Bakes Jr., 27.