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Expert Calls Hughes 'Will' A 'Textbook' Forgery Case

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SAN FRANCISCO, May 6—A handwriting expert today called the purported will of Howard R. Hughes "a textbook example of forged handwriting," and in Las Vegas, the District Attorney said not if the document was shown to be forged, he would try to prosecute those responsible.

Meantime, a man described by newspapers as a representative of the Summa Corporation. Mr. Hughes's holding company, left Tucson, Ariz., after a week of attempting to fit one of three keys he carried into safe-deposit boxes in various bank vaults around town.

Mr. Hughes, the reclusive industrialist, died April 5. His employees have been unable to find a will that they believe he left.

Summa, which was the holding company for most of Mr. Hughes's wealth, estimated at \$1.5 billion, advertised in about 40 cities in attempting to locate the will.

In documents filed in Los Angeles last month, Summa disclosed that its search had produced a copy of a cover letter that accompanied a 1938 will that Mr. Hughes had signed and mailed to a bank in Houston for safekeeping.

There have been persistent reports, which Summa spokesmen have said are not true insofar as they know, that a copy of the will — unsigned — was found with the letter. This would mean that Summa executives know the contents of the will they seek.

A Summa spokesman in Los Angeles said today a key that appeared to be for a safe-deposit box had been found in the hunt for a will. Newspaper Accounts in Tucson identified the searcher there as Alan Kaplan.

Basis of Challenge

Jack Harris, the Los Angeles handwriting expert who challenged the purported will after looking at it yesterday, said that he had found evidence that it was forged.

He said the "pen lifts" were in the wrong places, that patching and retracing was apparent in several places, and that in his opinion, "it's a matter for law enforcement."

Mr. Harris was hired by Paul Frees, a Los Angeles lawyer who represents three women who say they are granddaughters of Rupert Hughes, the late novelist, who was an uncle of Howard Hughes.

If there is no will, relatives of Mr. Hughes will contest in court to share in his estate.

A hearing is set for May 21 before District Judge Keith Hayes in Las Vegas, Nev., where the will has been offered for probate by Noah Dietrich, the 87-year-old onetime Hughes manager who had been estranged from Mr. Hughes for almost 20 years.

Mr. Dietrich was named executor in the will, which was found sealed in two envelopes on a desk in an office in the offices of the Church of Jesus Christ of Latterday Saints in Salt Lake City.

A note with the will asked that it be delivered to the Clark County courthouse in Las Vegas. Mr. Hughes lived in Las Vegas on March 19, 1968, the date written on the will.

George Holt, the Clark county district attorney, said today that he wanted to avoid becoming involved in the will contest which he sees as a civil action.

He said he had photographs of the will made to preserve evidence for a possible criminal prosecution if the civil lawsuit produces evidence that the will is a forgery.

Meanwhile, in North Brunswick, N.J., a spokesman for the Boy Scouts of America said today that Mr. Hughes was not shown as ever being a member of the Scouts, nor was he ever a donor to the organization.

Barclay Bollas, the spokesman, said that many inquiries

had been made since the purported will was found, because it directed that one-sixteenth of Mr. Hughes's estate go to the Boy Scouts.

While Mr. Hughes was never listed as a donor, Mr. Bollas said, several of his companies have contributed to local scouting activities in several areas.

The interest of Summa executives in the disposition of Mr. Hughes's estate has become more and more clear this week, as they filed a court action in Delaware to set up a temporary administrator of Summa under the laws of the state where the company is incorporated.

The executive they picked is William Lummis, a cousin of the late Mr. Hughes and the leader of relatives descended from Mr. Hughes's mother's family.

In the documents supporting the motion to appoint Mr. Lummis, which the court granted, the Summa executives said they believed the purported will from Salt Lake City "is not genuine."

This action makes it plain that the Summa executives will strive to hold the Hughes estate together, and to earn the money to pay inheritance taxes on it, and will try to avoid a situation where significant liquidation would be required to pay taxes.

From their point of view, the best solution would be discovery of a will that would enable title to pass to the Howard Hughes Medical Institute.

Mr. Hughes had been sole trustee of the institute, but on his death control of it passed to the directors who are F. W. Gay, executive vice president; Chester C. Davis, vice president and chief counsel, and Madine Henley, senior vice president, all of Summa Corporation.