

Hearing Opens, and Is Recessed, on First Purported Hughes Will

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Special to The New York Times

LAS VEGAS, Nev., May 21—More than a dozen lawyers, including the Attorney General of Texas, were on hand in a Clark County courtroom today for the opening round in what is expected to be a long battle over the estate of Howard R. Hughes.

It was the first hearing on the first of 18 purported wills of the wealthy industrialist to be offered for probate. Four separate attacks have been opened on the validity of this will, which was found on April 27 on a desk in the world headquarters of the Church of Jesus Christ of Latter-day Saints (Mormon) in Salt Lake City.

The upshot today was that District Judge Keith Hayes, observing that "little of substance can be accomplished here this morning," recessed the hearings until July 30.

The handwritten "Mormon will" was delivered here by church officials as directed by a note on the envelope in which it was found. The document was presented for probate on April 30 by Noah Dietrich, an 87-year-old Los Angeles resident who was once Mr. Hughes's chief assistant but who had been estranged for almost two decades from the reclusive billionaire, who died on April 15.

are assumed to have a stake in the validity of the purported will. These defendants then have 30 days from legal notification in which to respond to the contest and the person filing the contest then has 30 days to answer.

Noting all this, Judge Hayes recessed the hearings.

To some observers in the courtroom there was a sense of unreality about the proceedings. They followed, at the end of the court calendar, a series of uncontested divorces granted at the rate of about one every three minutes, and the reading of orders in other probate matters. Then came the matter of purported will of the eccentric, moody Mr. Hughes—a document that if valid would distribute the \$1.5 billion—perhaps more—amassed during the industrialist's lifetime.

Among the attorneys present were those representing Rice Institute, the University of California, the University of Nevada, and, representing the University of Texas, the Texas Attorney General, John Hill.

These institutions are among the beneficiaries named in the purported will. The Mormon Church was also named as a beneficiary, but the Mormons had no legal representative in court.

The unreal quality of the proceedings was heightened by the knowledge that the will's authenticity has been attacked in uncompromising terms by several handwriting experts

who have examined it as well as by Mr. Hughes's associates during much of his lifetime. One expert, however, said he thought the handwriting matched samples of Mr. Hughes's writing.

Others familiar with Mr. Hughes's affairs, including the executives of Summa Corporation, his personal holding company, have referred to the document as a forgery.

Perhaps the most significant of the four attacks on the purported will is that of Mrs. Annette Gano Lummis, the 85-year-old Houston woman who was the closest surviving relative of Mr. Hughes. She is his mother's sister.

Mrs. Lummis says she was

"the sole heir under the laws of descent and distribution of Nevada." She denied that Mr. Dietrich was executor of Mr. Hughes's last testament, and called the document under consideration "a forgery, a fraud and a hoax." She said it was inconsistent, considering their enmity, that Mr. Hughes would name Mr. Dietrich as executor.

Mrs. Lummis's son, William R. Lummis, a Houston lawyer, has been named by a Delaware court as administrator of Summa Corporation, into which Mr. Hughes had put virtually all his properties. Summa is a Delaware corporation.

There are two sets of challenges who claim to be descended from Joshua Hughes, near their home here Sept. 18—the same day Miss Hearst and Wendy Yoshimura were arrested across town. After the investigation conducted a warrantless entry and search of the premises.

The Harris' petition contended that search warrants were prepared and completed the next afternoon, based substantially on the existence of padlocked closets during their search.

The F.B.I. has testified that it searched without a warrant because it was looking for Miss Hearst and Miss Yoshimura and feared possible gunfire from within the home.

who court pleadings describe as being the great-grandfather of Howard Hughes.

The fourth challenge was filed by attorneys representing three women who say they are granddaughters of Rupert Hughes, the late writer, who was an uncle of Howard Hughes.

Meanwhile, the questioned will is being held in a safe-deposit box in a bank vault and is brought out from time to time so a new handwriting expert can examine it. Judge Hayes has forbidden the use of chemicals to test the document, which has prevent checking it for fingerprints.

Today Harold Rhoden, a Los Angeles attorney representing Mr. Dietrich, said he would file motions to have an envelope containing the will tested in an attempt to make readable the numbers on a postage machine that he said had been used to stamp the back of the envelope.

Mr. Rhoden said he thought the records of the company that markets such machines would show where that one was located. He said the stamp had been placed as if to provide a seal over the gummed flap on the back of the envelope.

The next contest about Mr. Hughes's estate will be in Los Angeles Superior Court June 1, where the public administrator and the Lummis family will dispute the appointment of an administrator. Other legal matters involving the estate are pending in Delaware courts.

HARRISES LOSE PLEA ON F.B.I. EVIDENCE

SAN FRANCISCO, May 20 (AP)—The State Supreme Court has rejected by 4 to 3 yesterday efforts by William and Emily Harris to suppress evidence found in their San Francisco residence last Sept. 18.

The ruling paves the way for the Harris' June 6 trial in Los Angeles, where they are codefendants with Patricia Hearst. The charges of kidnapping robbery and assault stem from a series of incidents in May 1974 that began with gunfire at a sporting goods store.

The Harris were arrested