

JUDGE WON'T HALT HUGHES WILL CASE

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HOUSTON, Aug. 23 — A probate judge refused today to dismiss proceedings in Texas on the so-called "Mormon will" of Howard R. Hughes, the billionaire industrialist.

"I believe this court has jurisdiction, and the state has jurisdiction," Harris County Probate Judge Pat Gregory said. "I propose we go forward with the contest of this will."

Attorneys for relatives of Mr. Hughes contend that the will, which was found at Mormon Church headquarters in Salt Lake City shortly after Mr. Hughes's death last April, should be probated in Nevada, which, they say, was Mr. Hughes's domicile. However,

Noah Dietrich, a former aide of Mr. Hughes's who was named executor of his estate in the will, has filed it for probate in California, Texas and Nevada.

Texas may gain \$500 million in inheritance taxes if it is established that Mr. Hughes was a legal resident of Texas. James Dilworth, an attorney for Annette Gano Lumis, Mr. Hughes's aunt, said that Judge Gregory's ruling "simply means we're going to have a three-ring circus, with litigation going on in Nevada, California and Texas on the same issues, with everybody stumbling over everybody else."