

nd
g
r
e
l
o
e
n
l
i
r

CIA
Ex-Companion Is Silent on Source of Hughes's Drugs

NYTimes DEC 11 1976

By WALLACE TURNER

Special to The New York Times

SAN FRANCISCO, Dec. 10—One of Howard R. Hughes's longtime aides and companions, John Holmes, invoked his right not to incriminate himself today when he was asked where the late recluse got drugs to treat a kidney ailment, according to sources present at the deposition in the Los Angeles County Court-house.

This came within days after disclosure that a soon-to-be-published book, based on the stories of two of Mr. Hughes's personal servants, will picture the billionaire as injecting himself with some unknown, clear substance in a hypodermic.

Mr. Holmes, 60 years old, who is a vice president of the Summa Corporation, Mr. Hughes's holding company, was questioned under oath in pretrial discovery proceedings in preparation for a will contest that will begin Jan. 10 in Las Vegas, Nev.

The will at issue is the one found last spring in a vacant office in the Mormon Church world headquarters in Salt Lake City. It has been denounced by Mr. Hughes's associates and members of his family as a forgery.

Inquiry on Named Beneficiary

In another aspect of the discovery proceedings, it was disclosed yesterday that Melvin Dummar, a Willard, Utah, filling station operator who is named as a bene-

fiary in the will, is under investigation by the Nevada Attorney General's office in connection with the suggestion that the will was forged.

Mr. Dummar was questioned in a deposition on Tuesday and was asked if he had read two books about Mr. Hughes from the library of Weber State College at Ogden. According to sources present at the session, he said he had not used that library and had never seen the books, unless someone had handed them to him.

The books were "Hoax" by Clifford Irving, who described how he fooled so many people with his false autobiography of Howard Hughes, and "Howard Hughes in Las Vegas" by Omar Garrison, a book devoted to describing Mr. Hughes's four years living in the Desert Inn in Las Vegas.

Remembered Handling Books

It was in that period, according to Mr. Dummar, that he picked up Mr. Hughes as the wealthy recluse walked alongside a remote highway in Nevada. The will that makes Mr. Dummar a beneficiary of one-sixteenth of the Hughes estate is dated in March 1968, when Mr. Hughes lived in the Desert Inn.

According to Paul Freese, a lawyer who questioned him on Tuesday, Mr. Dummar denied seeing the books, but on Wednesday, after being told that the Nevada authorities had removed the books from the Weber State College library, Mr. Dummar went back to the deposition session

where his wife was being questioned. Mr. Freese said Mr. Dummar asked to reopen the questioning and to explain that he now remembered that he had been to the library and had handled the books, although he had not read them.

Mr. Freese represents relatives of Mr. Hughes from his father's side, and it is to their interest that the will be found invalid. Mr. Hughes's mother's relatives have also called it a forgery.

The position of Mr. Hughes's employees, such as Mr. Holmes, has been to attempt to avoid being questioned, and it was only when Mr. Holmes was threatened by a contempt order that he finally appeared for questioning under oath. *

The initial phases of his questioning were finished last month, but the parts dealing with Mr. Hughes's mental and physical condition, as Mr. Holmes observed them, had been put over until today.

Judge Orders Answer

This was so that the questions that Mr. Holmes refused to answer could quickly be put to Probate Judge Neil Lake, who could rule on them. Judge Lake ordered Mr. Holmes to answer the question about Mr. Hughes's supply of drugs for his kidney ailment.

But when Mr. Holmes cited his constitutional right against self-incrimination, the plunger, Judge Lake said he could order an answer only after a long hearing. The matter was deferred.