

*Last Will and Testament*

I Howard R. Hughes being of sound and disposing mind and memory, not acting under duress, fraud or the undue influence of any person whomsoever, and being a resident of Las Vegas Nevada, declare that this is to be my last Will and revoke all other wills previously made by me

*Attest*

United Press International

Part of the purported will of Howard R. Hughes that was found at the headquarters of the Church of Jesus Christ of Latter-Day Saints in Salt Lake City. At right is Melvin Dummar, who is named in the disputed will.

## Lawyer Accuses Man of Forgery Of Hughes Will That Included Him

By WALLACE TURNER

Special to The New York Times

SAN FRANCISCO, Dec. 13—A lawyer for Howard Hughes's cousins today accused a 31-year-old Utah service station operator of being involved in the forgery of a purported will of the late billionaire industrialist.

The accusation was made in Probate Court in Los Angeles by James Dilworth of Houston, who represents William Rice Lummis, a cousin, and other prospective heirs of Mr. Hughes' fortune. It was directed at Melvin Dummar, the operator of Dummar's Chevron Service near Ogden who stands to inherit one-sixteenth of the Hughes estate if the questioned will is accepted as valid.

"It's been our belief for months that Mr. Dummar was and had to be involved in the forgery of this will," Mr. Dilworth told Judge Neil Lake in opposing a motion for suspension of proceedings in which the validity of the will is being contested.

Mr. Dilworth said that he had been told by the authorities in Nevada that an examination of the will and envelopes and notes found with it by Federal Bureau of Investigation agents had disclosed Mr. Dummar's fingerprint on the outer envelope.

Mr. Dummar could not be reached for comment. His lawyer, Roger S. Dutson of Ogden, said that he had talked with Mr. Dummar about the possibility of the fingerprint being there because Mr. Dummar may have handled the envelope.

#### Dummar Said to Deny Print

"He denied it and still denies it," Mr. Dutson said of his client. "It couldn't be on there by him."

But considering the high stakes involved in the will contest, Mr. Dutson said, "It is always within the realm of possibility" that someone somehow managed to create Mr. Dummar's print on the envelope.

The envelope on which the print was said to be found was the outer one of two that contained the handwritten document when it was found in the late afternoon of April 27 on a desk in a vacant office in the Salt Lake City headquarters of the Church of Jesus Christ of Latter-day Saints.

The purported will directed that Mr. Hughes' wealth be spread among four colleges, the Mormon church, the Boy Scouts of America, Hughes employees, two former wives and Mr. Dummar.

When reporters contacted him, Mr. Dummar said that he had a possible explanation of why he was named in the will. The reason, he said, was that on an occasion when he was driving near Tonapah, Nev., he found a disheveled man with a bleeding ear along the roadside.

#### Was Told He Helped Hughes

Mr. Dummar said that he gave the man a ride into Las Vegas and was told that the man was Howard Hughes. Mr. Dutson said, "Howard Hughes awarded this because the act of kindness by Mr. Dummar may have saved Mr. Hughes's life."

However, Mr. Hughes's employees, who stayed with him in eight-hour shifts around the clock, said that he was never out of the rooms in the Desert Inn in Las Vegas where he lived from 1966 to 1970, the period in which Mr. Dummar said the incident occurred.

The purported will is dated March 19, 1968. It names as executor Noah Dietrich, 87 years old, who was Mr. Hughes's chief executive until they broke off in bitterness in 1957. Mr. Dietrich, when the will was found, said: "I can only hope its genuine." He would collect about 2 percent of the estate under the terms of the purported will.

The document was offered for probate in Las Vegas, as instructed in papers found with it, and also in Los Angeles. Harold Rhoden, a Los Angeles lawyer, has pushed for its acceptance, with Mr. Dietrich's backing.

According to published accounts, Sey-

mour Lazar, a Los Angeles lawyer and investor, has committed \$250,000 to support the attempt to validate the will. Mr. Lazar was quoted in New West magazine two months ago as saying he expected to share in the lawyers' fees if the will is validated through his efforts. He could not be reached for comment today.

Today's developments came out of the process of pretrial discovery that has been moving forward for months, looking toward the trial of a will contest in Las Vegas on Jan. 10.

Last Wednesday, a deposition was taken from Mr. Dummar in Salt Lake City. Paul Freese, one of the lawyers in the case representing Hughes's cousin, said that during questioning Mr. Dummar was asked repeatedly about whether he had been in the library of Weber State College in Ogden and whether he had handled certain books and magazines about Mr. Hughes.

Mr. Freese quoted Mr. Dummar as saying that he had not been in the library and that he had not handled the materials. But, said the lawyer, on Thursday Mr. Dummar came back and said that overnight he had remembered being in the library and holding the materials in his hands but that he had not read them.

#### Dummar's Lawyer Responds

Mr. Dutson, Mr. Dummar's lawyer, said today in a telephone interview that the responses were not as Mr. Freese told them, but that Mr. Dummar had on Wednesday acknowledged being in the library.

Mr. Dutson was asked if anyone working in Mr. Dummar's representation had checked with the library Thursday morning to see if the materials had been taken away by law enforcement officers.

"Not that I know of," Mr. Dutson said.

In Carson City, Nev., officials in the State Attorney General's office refused to answer questions about the investigation. But other sources in the state government said that Mr. Dummar's fingerprints had been found on materials taken from the Weber State College library.

Mr. Rhoden's request for further delays was denied by Judge Lake in Los Angeles. Mr. Rhoden said that he would go to Las Vegas tomorrow to make a similar request for delay to District Judge Keith Hayes, who is presiding in the Hughes estate matters there.

Meantime, lawyers seeking to discredit the will continued today with their depositions, questioning Dr. Lawrence Chaffin, a Hughes physician, and Roy Crawford and Clarence Waldron, who were aides to Mr. Hughes.