

Barry's bribery exam begins

By ROBERT KIPPER

OAKLAND COUNTY—Former Oakland Drain Commissioner Daniel W.

Barry intervened in deadlocked price negotiations between representatives of the Hamlin Drain Board and the contractor for the Hamlin Drain in 1969, helping to settle the matter in the contractor's favor.

This, according to testimony given during the third day of the preliminary examination into bribery charges against Barry and two others, James E. Pemberton, an engineer with the county drain commissioner's office, testified that Barry showed up uninvited to that 1969 meeting, where, until Barry's arrival, both sides were unable to agree on a compromise price.

THE GREENFIELD Construction Co., contractor of the drainage project, had requested an additional \$20,000 from the county to cover the cost of excavation work and now stones the contractor claimed had to be used as bedding for the drainage pipes.

The meeting was held to see if the county and the contractor could agree on a lower price.

According to Pemberton, no proofs were supplied by the contractor at the meeting demonstrating where the stones were used or where the excavation had taken place, and the meeting soon deadlocked.

PEMBERTON SAID Barry then arrived at the meeting, bearing alcohol refreshments for all those present.

Barry, according to Pemberton, then left the room with James Nichols, his chief deputy, and Angelo DiPonio, the owner of Greenfield Construction Co. After a five to ten minute session, Pemberton said the three men returned.

Nichols, whose position on the question was described as "adamant" before, was then ready to compromise with Greenfield on a price and the meeting drew to an informal close.

The authorized members at the meeting never took a formal vote on the compromise price, which was initiated at around \$130,000, and no negotiator, except Nichols, was contacted about a compromise price, according to Pemberton's testimony.

THEN, WHEN a formal settlement with Greenfield for the stones and excavation work was approved by the Hamlin Drain Board at a later meeting, Barry, who as drain commissioner sat on the board, failed to disqualify himself from voting despite a potential conflict of interest, Pemberton said.

Prior to that meeting and the negotiations with Greenfield on the Hamlin and another drainage project, Barry and Nichols each allegedly received over \$5,000 from DiPonio, the owner of Greenfield Construction. The funds were supposedly disguised as interest free loans which the two county officials used to buy new automobiles.

Defense attorneys will get an opportunity to cross examine Pemberton when the preliminary examination enters its fourth day Thursday (Feb. 13).

THE EXAMINATION is investigating a three-year-old bribery charges against Barry, Nichols and DiPonio.

An Oakland citizens grand jury has indicted DiPonio for offering bribes of more than \$5,000 in return for favorable treatment on two drainage projects.

Barry and Nichols were indicted for accepting bribes and conspiracy to bribe.

AFTER a series of lengthy appeals and procedural delays, the case has finally reached the preliminary examination stage when Pontiac District Court Judge James R. Stelt must determine whether there is reason to believe the defendants committed the crime and, hence, bind them over to circuit court for trial.

But, even this preliminary examination is expected to last to early March. Judge Stelt's court docket is so jammed, the examination has been heard on Tuesday and Thursday afternoons only.

The highly technical nature of the testimony, and the repeated flare-ups between prosecution and defense attorneys over the presentation of evidence and certain procedural matters has made progress slow during the intervals of court time that have been available.

DURING THE second day of testimony last week, County Executive Daniel Murphy was one of three witnesses to testify how Barry bypassed normal bidding procedures to negotiate a drain contract with Greenfield.

The contract concerned the Hamlin Drain project in Bloomfield Township. Murphy, like Barry, served on the Hamlin Drain Board. Originally, the Hamlin contract had been awarded to the Wiseman Construction Co., which submitted the low bid. However, Wiseman eventually withdrew from the project.

MURPHY SAID that, ordinarily, when one company withdraws from a project the county next approaches the second low bidder—which, in that case, would have been the Don Gargaro Co. Inc.

Instead, Murphy said Barry discussed entering into a joint venture with Greenfield and another contractor to complete the Hamlin Drain. However, according to earlier testimony, the Hamlin Drain Board decided to take a second round of bids on the project after Gargaro Co. threatened legal action against the county.

Greenfield emerged low bidder after this second round of bidding and was awarded the Hamlin contract.

Barry and Nichols, if convicted could face a maximum ten-year prison term for accepting bribes as public officials. DiPonio faces up to four years in prison.

Regan to speak at dinner

OAKLAND COUNTY—Former California Governor Ronald Reagan has agreed to be keynote speaker at an April 26 testimonial dinner for Oakland County Executive Daniel Murphy at the Raleigh House in Southfield.

Reagan is the first GOP superstar to accept an invitation to help pay off Murphy's 1974 campaign debts. The testimonial dinner will be limited to 800 persons with tickets set at \$150 per couple.

Own a Future Antique

SPECIAL \$349.50

includes set up and delivery in your home or office.

Westminster Chimes Hour, 1/2 Hour, 1/4 Hour

Grandfather Clock Specialist others on display

Expert Clock Repair

De Ole Clock Shoppe

Grandfather Clock Specialist 23900 Greenfield • Suite 108 Oak Park • Phone 968-0430

good winter reading . . .



OIL by Jonathan Black Takes you behind tomorrow's energy crisis headlines. \$8.95



REX: An Autobiography by Rex Harrison The long-awaited memoirs of one of today's greatest stars. \$7.95



CLIVE by Clive Davis Inside the record business with the man who wrote the bible of the record business. \$8.95



THE GANGSTERS by David Chandler An unforgettable reading experience takes over where The Godfather left off. \$7.95

bookpeople

ORCHARD MALL—ORCHARD LAKE RD. N. OF MAPLE

FREE GIFT WRAPPING

Mon-Wed & Sat 10-6

851-9150

SUN. 12 to 5

Thurs. & Fri. 10-9



we've crossed our T's with graphics. . . nostalgia prints, oldtime produce labels, western motifs, scenes of surfing, cycling or sailing, to mention a few. Get the picture? Ecru, light blue or yellow polyester/cotton knit background. Sizes S,M,L,XL \$5



Woodward at Willits Birmingham



have a heart, Miss J. . . these pendant necklaces that continue to charm long past Valentine's Day. The grouping from Capri includes hearts with an antique look, glossy hearts with goldtoned inserts. . . petite pastel colored hearts or (as shown here) larger hand-painted hearts, each with earrings to match. Necklaces, \$2 to \$4. Pierced earrings, \$2

miss J. shop

Jacobson's

Maple at Bates Birmingham

Come to our LOVE-IN, Friday, February 14, Valentine Day, 7:00-9:00 P.M.

DON'T WAIT!
LAST 4 DAYS

MAGNAVOX ANNUAL SALE
ENDS FEB. 17, 1975

Magnavox 25" diagonal Videomatic Color Console



Contemporary—inside and out—this Magnavox solid-state value offers dramatic styling, plus advanced electronics. It will give you a sharp, clear picture in a light or dark room. Remote Control available at extra cost. Also save

SAVE 82.95 NOW \$567

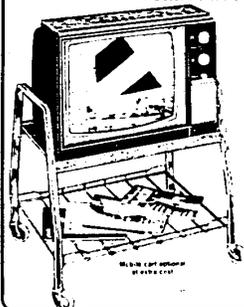
Magnavox 25" diagonal Videomatic Color TV



SAVE \$50.95

NOW \$599

19" diagonal Magnavox Solid-State Color Portable



Model 4350 is another outstanding Magnavox solid-state value, with automatic fine tuning to keep station signals locked in, plus the Precision In-Line Tube System for maximum performance and minimum service

Not in Annual Sale offered at

\$379

WHILE THEY LAST



Videomatic 25" diagonal Color Stereo Theatre with Remote Control

Magnificent viewing, magnificent listening, wonderful convenience. It also offers the reliability of a 100% solid-state chassis. Videomatic One-Button Tuning, Super Bright Matrix Tube, plus Stereo FM/AM Radio-Phonograph—all in a cabinet of timeless elegance. Two fine furniture styles available.

SALE \$105 NOW \$890

SIMULATED PICTURES SHOWN IN ALL TV'S

Bill Brown's Magnavox

LIVONIA 31155 Plymouth 1 Mi. E. of Harrison 522-9600

SHOP SUNDAY 12 to 6 OPEN DAILY 9 to 9

DEARBORN HGTS. 22344 Van Born East of Telegraph 565-4600

MICHIGAN'S LARGEST EXCLUSIVE MAGNAVOX SALES AND SERVICE CENTERS