



**JUST MARRIED!**—James Fahey of Waltham, author of "Pacific War Diary," and Adele Fuller Darrah exchange

garlands after wedding at Mettupatti, India, Sunday. Fahey drove garbage truck before writing book. (AP)

# State Senate orders probe on courthouse

By Stephen Kurkjian, Globe Staff

The Massachusetts Senate yesterday adopted an order creating a special committee to investigate the construction of the Middlesex County courthouse.

The creation of the special committee raises to three the number of panels investigating the construction of the courthouse, the cost of which has jumped from an original estimate of \$16 million in 1963 to \$45 million at present.

The Massachusetts Supreme Judicial Court and the Massachusetts Bar Association have already begun probes.

Meanwhile, Frank J. Zeo, executive vice president of the Massachusetts Taxpayers' Foundation, called for "an absolute moratorium" on legislation permitting county construction projects.

"The real culprit in the sordid spectacle of the half-finished Middlesex Courthouse is the county system that spawned it," Zeo said.

"When you consider the inherent faults of the Massachusetts county system—that it is governed by the Legislature, run by politicians unknown to the voters who elected them, staffed with patronage appointees, paid for by the cities and towns and unsuited to the tasks it performs—the miracle may be that the Middlesex Courthouse ever got off the ground," Zeo said.

The three-member Senate committee was directed to report its findings by July 29. Last week, the House of Representatives voted 100-91 not to suspend its rules to allow creation of a similar investigatory panel.

In introducing his order for creation of the Senate committee, Sen. William I. Randall (R-Framingham) said he had heard rumors that the final cost of the courthouse's construction in Cambridge could reach \$50 million.

The prime contractor for the courthouse has charged the Middlesex County commissioners with mismanagement and delays in the project. Water seepage and other problems with the new foundation

of the 21-story structure has also held up construction.

George Ungar, president of the Gevyn Construction Corp. of Mamaroneck, N.Y., is suing Middlesex County for \$9.4 million for allegedly "unlawfully" breaching its building contract with his firm.

The firm, which was awarded the construction contract in 1967, was fired by the county commissioners last May because of "inadequacy, inability or unwillingness of Gevyn to perform its contract," the commissioners said.

The three commissioners—Chairman John F. Dever Jr., Frederic J. Connors and John L. Danehy—have scheduled a 1 p.m. press conference in their office today.

At their press conference last week, the commissioners admitted that the project was about three years behind schedule. In 1963, when the original \$16 million bond issue was granted, the scheduled completion date was Dec. 31, 1970.

Two ranking Democratic legislators filed a bill with the House clerk yesterday to place the responsibility of construction of county buildings with the state Bureau of Building Construction.

Reps. John J. McGlynn of Medford, chairman of the State Administration Committee; and Lawrence O. Smith, chairman of the Counties Committee, said the Bureau has the competent staff to oversee the construction.

Rep. Smith last week successfully led the opposition to defeat the order for a special House committee to investigate the Middlesex Courthouse situation.

In Suffolk Superior Court yesterday, Judge Edward F. Hennessey denied a suit filed by seven subcontractors on the project who were seeking an injunction to halt arbitration between themselves and the Gevyn Construction Corp.

Judge Hennessey said no representatives of the American Arbitration Assn. have been named yet to settle the dispute on extra work between the subcontractors and the contractor on the project.