

Jury awards Harwell \$150,000

The owner of a West Rome supermarket believed destroyed by arsonists two years ago was awarded \$150,000 by a federal-court jury Monday.

A Maryland insurance company had refused to honor a \$200,000 insurance claim filed by Jack D. Harwell Sr., owner of Conn's Supermarket and Grocery, after the 708 Shorter Ave. business exploded into flames in 1984.

Baltimore-based Maryland Casualty Co. brought the court action against the grocer to justify its refusal to pay.

The company, in filings, had said the claim was not honored because Harwell had either set the fire himself or had the blaze ignited by others.

Pivotal point in the week-long trial, according to defense attorney James Wyatt, was the failure of attorneys for the insurance company to prove that the fire had been set by Harwell or that the fire had been set.

"The verdict vindicates Harwell," said Wyatt.

Cause of the fire was a point of conjecture for both sides during the trial, with theories of origin of the blaze presented to the court ranging from arson to spontaneous combustion.

Rome Fire Marshall George Lanier had termed the blaze an



Court

act of arson.

Harwell was awarded \$125,000 for loss of the structure and an additional \$26,500 for lost inventory by the four-man, two-woman jury following more than two hours of deliberation.

Harwell said he is pleased with the verdict and said he had no definite plans for use of the funds.

Wants more facts

A federal judge has denied Bert Lance's request to dismiss a suit against him by banking regulators.

Federal District Court Judge Harold L. Murphy will instead conduct a hearing here July 11 on why the federal Office of the Comptroller of the Currency (OCC) and the former chairman of Calhoun First National Bank have not provided documents requested in the case.

Murphy said he wants Lance to argue why the OCC may not use discretion in releasing con-

fidential information and documents the OCC gathered while probing Lance's banking practices.

Murphy said he also wants the OCC to tell why it has not given to Lance a list of persons it contacted during its 18-months investigation.

Murphy's order stems from an OCC suit against Lance, charging improper practices and violations of federal banking laws. The OCC wants the court to bar Lance from working again in banking.

Lance is not now engaged in banking, having resigned his Calhoun First position earlier in the year after winning near-unanimous re-election by bank shareholders.

He then sold his 14.75 percent majority holdings in the bank to a Dalton banker, now chairman.

Murphy said he denied Lance's request to dismiss the OCC action because it may be taken only when both sides agree on the facts.

Lance denies any financial irregularities. The OCC argues he "committed serious, repeated violations of federal security laws."

Lance says the OCC is legally barred from seeking the injunction because he cannot return to banking without OCC approval, making the injunction meaningless.