

## Sheriff Cleared of Charges, Morrison May Take Case to State Supreme Court

Rebuffed in Circuit Court, Commonwealth's Attorney Horace T. Morrison said today he is considering an appeal to a higher court in his efforts to oust the King George County sheriff.

Morrison was asked for comment after learning Judge Leon M. Bazile had cleared Sheriff J. S. Dishman of all 18 charges Morrison brought against him.

Bazile in an opinion delivered to the court this morning asserted Morrison's accusations against the 68-year-old sheriff were "for the most part frivolous."

Morrison in turn said the case has "many errors." He had accused Dishman of "malfeasance, misfeasance, incompetency and gross neglect of official duty."

The judge, in a 16-page report delivered to the county clerk's office by another individual, defended the sheriff's law enforcement efforts and at the same time criticized Morrison's attitude toward other officials.

Bazile called the commonwealth's attorney a man "who is a bitter enemy of the sheriff" and who attributes corrupt or unlawful motives to anyone who disagrees with him.

The judge said Morrison, who appeared as the chief prosecution witness in the May 29 trial, offered no proof which "measures up to the requirements of the law" and that the allegations rested solely on his testimony, which was contradicted by other Commonwealth witnesses.

Morrison said today the judge "has gone a little further than judicial propriety." Morrison

said he will not know definitely what course of action he will follow until a stenographic record of the testimony is released, probably on June 30 or July 1. However, he said, exceptions definitely will be taken. He said the refusal of the court to have a jury hear the case offers strong ground for an exception.

Morrison and Bazile four years ago were involved in a controversy in which Morrison asked Governor Battle to call a special session of the General Assembly to decide whether the judge should be removed from office. His request was refused and the judge in turn ordered Morrison tried for contempt of court. The case went to trial before a substitute judge, but was dismissed without a direct settlement.

In his opinion today, Bazile defended the sheriff's work in various cases in which Morrison had accused him of laxness. Bazile wrote that "the weight of the evidence shows that the sheriff investigated the cases to the best of his ability" and that Dishman did the right thing in asking for assistance from State Police. "The sheriff like the average sheriff is not a trained police officer. He is elected by the people and discharges his office to the best of his ability."

Morrison had charged Dishman with failing to deliver summonses placed in his hands, failing to investigate liquor violations and other crimes when asked, turning in poor reports and being an unfavorable prosecution witness in some cases.

Bazile noted that at the May 29 trial three King George residents testified against Morrison, saying that on the basis of his general reputation for truth and veracity they would not believe him under oath. The witnesses were R. A. Peed, commissioner of revenue for the county; W. D. Taylor, a former school board member; and W. Thomas Weaver, a merchant.

Dishman said this morning the opinion completely vindicates him of any charges of wrongdoing.

The commonwealth's attorney first made his charges against Dishman May 13, when Bazile was presiding in court for the calling of a special grand jury in another case. At the same time Morrison had asked the court to invalidate its appointment of Trial Justice Bascom S. Pribble Jr.

Bazile later overruled Morrison's motion on Pribble and the Commonwealth's Attorney said he is planning to notify defense attorneys in that case that he will ask for a writ of error.

Morrison contends that Bazile should have disqualified himself and that he erred in declining to hear testimony from the County Board of Supervisors. Morrison based his attempt to remove Pribble on the argument that the official minutes of the board fail to show its approval of allowing King George to have the same trial justice as Stafford County.