[ADMINISTRATIVE ORDER NO. 258, December 28, 1953]

ON THE ADMINISTRATIVE CASE OF JUSTICE OF THE PEACE TOMAS A. ACOSTA OF BACARRA, ILOCOS NORTE

This is an administrative case against Justice of the Peace Tomas A. Acosta of Bacarra, Ilocos Norte, for alleged grave abuse of authority, corruption and other irregularities filed by one Mrs. Maria R. Prudencio.

From the record of investigation conducted by the district judge it appears that on December 20, 1951, complainant, as toll collector of the Bacarra toll gate, reminded in writing (Exhibit A) respondent about his account of P1.80 representing unpaid toll fees. Respondent evidently deeply resented this act of the complainant, because he believed that the account had not been incurred by him or he thought that it had already been paid by the complainant in consideration of the free rides he had given her in his jeep, as shown by the fact that when he arrived at the toll house on December 22, 1951, to settle said account, he was visibly angry, so much so that he bumped his jeep against the bar placed across the street and that while inside the toll house he made the following remarks. "For that small amount, that could be settled amicably rather than for Mrs. Prudencio to have sent that letter. She should not do that because that is only a small amount. Anyway, I will be of service to her in the future." Because of his resentment against the complainant he tried every means to harass her and her family as will presently be shown.

While respondent was still at the toll house, an explosion apparently caused by dynamite was heard from the direction of the river. Whereupon the respondent directed the chief of police and his policemen to apprehend the malefactors. One of the persons brought by the peace officers to the respondent was Romulo Prudencio, a twelve-year-old son of the complainant. Two men were said to have escaped. Upon learning that the boy was complainant's son, respondent told him that if he could not give the names of the persons who ran away he would order his prosecution, and when the boy answered that he did not know their names although he could identify them if he saw them again, respondent remarked: "Maybe I could be of service now to Mrs. Prudencio. This is may chance."

It also appears that on December 26, 1951, respondent wrote a letter (Exhibit B) to the complainant wherein he said: "I hope that I may be of service to you sometime." Respondent claims that there is nothing wrong in that statement of his in Exhibit B as it is but an expression of his gratitude to the complainant and an offer to help her also if she ever needed his help.

In the light of the surrounding circumstances, however, respondent's explanation cannot be accepted. The complainant had not done him any favor for which he should be grateful to her; on the contrary, it was she who owned him some favors for the free rides in his jeep. Furthermore, on December 28, 1951, or only two days