

**[ADMINISTRATIVE ORDER NO. 207, December
05, 1952]**

**REMOVING FROM OFFICE JUSTICE OF THE PEACE DOMINGO
GALAGNARA OF KOLAMBUGAN AND MONAI, LANAOS**

This is an administrative case against Mr. Domingo Galagnara, Justice of the Peace of Kolambugan and Monai, Lanao, who as Justice of the Peace of Tubod, same province, allegedly interfered with the conduct of elections and carried a firearm inside a polling place. The charges were investigated by the Department of Justice, and in his report the Secretary of Justice recommends respondent's removal from the service.

It has been established in the investigation conducted by the district judge of Lanao that during the elections held on November 13, 1951, respondent, carrying a pistol, entered the polling place in election precinct No. 2 of the municipality of Tubod and grabbed the ballot which one Mrs. Anita Cañete was about to drop into the ballot box allegedly because she had already voted in another precinct, although he permitted her later on to cast her vote.

In his defense respondent claimed that as circuit Justice of the Peace of Tubod one of his duties was to see to it that there was no violation of the election law and that he was authorized to carry his gun inside the polling place.

Respondent's claims are without merit. The powers and duties of a justice of the peace under the election code are clearly defined. Equally clear are the law and regulations as to the persons who may carry firearms inside polling places and the circumstances under which they may do so. Even on the assumption that he was confused between the duties of a justice of the peace and those of a representative of the Commission on Elections, in the sense that he honestly believed that he had authority to supervise the elections, nevertheless there was absolutely no justification for his high-handedness and arrogance in grabbing a ballot from the hands of a voter inside a polling place. As a result, instead of accomplishing a self-imposed obligation of helping maintain a clean, honest and orderly election, the respondent created undue disturbance by an unwarranted display of mistaken authority.

It also appears that in another administrative case the district judge found respondent negligent in the performance of his duties for failing to enter in his docket a criminal case for forcible abduction which he himself had accepted. The records of the Department of Justice likewise show that on June 12, 1950, he was reprimanded for his irregular actuations in connection with a civil case brought before his court.

In view of the foregoing, and to give added impetus to the crusade of the Administration against undesirable public officials, particularly those with a