

**[ ADMINISTRATIVE ORDER NO. 92, April 21, 1939 ]**

**DISMISSING JUSTICE OF THE PEACE CIRIACO SAHAGUN OF SAN FELIPE, ZAMBALES, FROM OFFICE**

This is an administrative case filed by Gregorio Abille and two others against Ciriaco Sahagun, justice of the peace of the municipality of San Felipe, Province of Zambales. The complaint contains three counts, namely: (1) That the respondent is not observing regular office hours and that he has collected salary for the various days in which he was absent from January to June nineteen hundred and thirty-eight; (2) that the respondent secured five pesos from Roman Padua allegedly for his expenses in going to the provincial capital to confer with the provincial fiscal to insure the conviction of one Dominador Aranda accused of homicide in criminal case number seven hundred fifty-seven of his court, wherein Padua's son was the victim, and that with the same pretext, he obtained three pesos from Herminio Trapsi, offended party in criminal case number seven hundred fifty-eight of respondent's court, in which Dominador Aranda is accused of physical injuries, both of which cases had already been elevated to the Court of First Instance of Zambales; and (3) that the respondent asked and received several sums of money from one Mariano Abiba in connection with civil case number one hundred seventeen of his court for forcible entry and detainer in which Abiba was the plaintiff, and under the pretext of placing Abiba in possession of the land involved, the respondent ordered Abiba to slaughter a goat for the occasion.

The District Judge who investigated this case found only the second charge to be proven. After carefully going over the evidence of record, I concur in the finding of the District Judge that the first charge has not been substantiated.

In connection with the second charge, I find that the respondent really asked from Padua and Trapsi the sums of money alleged in the complaint which were delivered by Gavino Feria, a close relative of the interested parties, to the chief of police of San Felipe, Zambales, and receipted for by the latter. While in the beginning, the respondent stated that he did not know the source of the money delivered to him by the chief of police, he declared later on that he was requested by Padua and Trapsi to inform the provincial fiscal, of certain details of the criminal cases against Dominador Aranda and that the sum of eight pesos was voluntarily given to him by Gavino Feria to defray his expenses for that purpose. It is observed that the respondent did not even seek to enlighten the investigator as to what those details were which he wanted to impress upon the provincial fiscal, nor as to the necessity of his conferring with the provincial fiscal, the records of the cases involved having been elevated already to the Court of First Instance. It is evident that his going to the provincial capital was merely a pretext for his obtaining money from the interested parties.

With respect to the third charge, while there is not enough evidence to show that