

[ADMINISTRATIVE ORDER NO. 37, June 14, 1937]

SUSPENDING AUXILLARY JUSTICE OF THE PEACE QUIRIOO C. GALICIA, OF SANCHEZ MIRA, CAGAYAN, FROM OFFICE

The report of investigation in the administrative case against Auxiliary Justice of the Peace Quirino C. Galicia, of Sanchez Mira, Cagayan, discloses the fact that on March thirty-first, nineteen hundred and thirty-six, the respondent issued a search warrant against H. C. Wahlgren for the purpose of discovering and seizing unlicensed revolvers alleged to be in the possession of said Wahlgren; and that respondent's only basis for issuing the search warrant was the affidavit presented to him by Dee Hong Lue, the applicant for issuance, and the affidavits of two other persons. Although the evidence available on the record does not conclusively show that the search warrant under consideration was issued without the corresponding application and the proofs showing probable cause, yet it can be safely stated that the respondent had shown partiality in granting the petition of Dee Hong Lue, as evidenced by the fact that he himself took particular interest in the preparation of the application and other papers in connection with the issuance of the search warrant, and for that purpose, he (respondent) went to the place where Dee Hong Lue was residing, using the automobile of Dee Hong Lue. The respondent also personally directed the Chief of Police of Sanchez Mira to serve the search warrant, but no unlicensed firearm was after all found in Wahlgren's possession.

The records further show that a day previous to the issuance of the search warrant, Dee Hong Lue was assaulted by Wahlgren, and being aware of this fact, the respondent should have looked carefully into the motive behind the petition of Dee Hong Lue before issuing the search warrant. The act committed by the respondent enabled Dee Hong Lue to use him (respondent) as his instrument in wreaking vengeance upon Wahlgren with whom Dee Hong Lue had a controversy of personal nature.

In view of the foregoing, and considering the seriousness of the irregularities committed by the respondent and upon the recommendation fo the District Judge Quirino C. Galicia is hereby ordered suspended from the office of Auxiliary Justice of the Peace of Sanchez Mira, Cagayan, for a period of two months, with an admonition that a commission of a similar offense in the future will cause his removal from office.

Done at the City of New York, U. S. A. (for the City of Manila), this fourteenth day of June, in the year of Our Lord, nineteen hundred and thirty-seven, and of the Commonwealth of the Philippines, the second.

MANUEL L. QUEZON
President of the Philippines
