

[ADMINISTRATIVE ORDER NO. 205, June 30, 1956]

REMOVING MR. PEDRO V. ESPIRITU FROM OFFICE AS JUSTICE OF THE PEACE OF MABITAC AND STA. MARIA, LAGUNA.

This is an administrative case against Justice of the Peace Pedro V. Espiritu of Mabitac and Sta. Maria, Laguna, for alleged involvement in the falsification of a public document.

Respondent was previously prosecuted criminally for the same act but was acquitted for insufficiency of evidence. Having been suspended from office because of said criminal case, he requested reinstatement and payment of salary during the period of his suspension. As Mr. Espiritu was not categorically absolved from the crime and as an acquittal of a public officer or employee in a criminal case constitutes no bar to the institution of administration proceedings against him, the Secretary of Justice took no action on the petition and instead instructed a District Judge of Laguna to make a thorough investigation to determine whether respondent had a hand in the alleged falsification of a deed of sale.

The investigation discloses that during the Japanese occupation the spouses Valeriano Papera and Laura Lagradilla sold to Severo Valdepeñas for P35,000, payable in two installments, their land in Lumban, Laguna, covered by Transfer Certificate of Title No. 17900. When the balance of the purchase price was paid, the condition of the time was unsettled and no one could prepare the deed of sale; so it was agreed between the parties to defer the formal execution of the document. As a token of good faith, the vendors delivered to Valdepeñas their title and copy of the tax declaration of the property.

After liberation Papera asked for P500 from Valdepeñas as additional consideration for the sale of the property. When the latter could not give the amount, Papera offered the land in question to Lorenzo Dagle who agreed to buy it and asked respondent to prepare the deed of sale. However, Dagle desisted upon learning that the land was sold to Valdepeñas during the occupation. The following day respondent asked Valdepeñas to bring to his house the title and tax declaration of Valeriano Papera, misrepresenting that the latter had agreed to convey the property to him and had requested the respondent to prepare the corresponding document. Relying on this misrepresentation, Valdepeñas delivered Transfer Certificate of Title No. 17900 and the tax declaration covering the property to the respondent who thereupon prepared in typewritten form two sets of a deed of absolute sale of real estate consisting of one original and three carbon copies each.

On August 28, 1945, respondent, Valdepeñas and an unknown couple went to the office of Atty. Tirso Caballero in Pagsanjan, Laguna, for the ratification of the deed of sale already bearing the signatures of the supposed vendors and the witnesses. When Mr. Caballero asked for the vendors, the respondent pointed to the couple who were with him at the time and he also indicated Severo Valdepeñas as the