

[ADMINISTRATIVE ORDER NO. 191, September 05, 1952]

REMOVING MR. ASAAD USMAN FROM OFFICE AS JUSTICE OF THE PEACE OF SIASI AND TAPUL, SULU

Justice of the Peace Asaad Usman of Siasi and Tapul, Sulu, is charged with extortion, terrorism, land grabbing illegal collection of rentals and immorality. During the investigation, however, the complainant, Indasan Napii, confined his evidence to the charges of extortion and illegal collection of rentals. Of these two charges, the Secretary of Justice found only that of extortion to have been fully substantiated.

Several persons took the witness stand and testified on respondent's alleged extortion activities, but of the many illegal exactions supposedly perpetrated by the respondent, the Secretary of Justice found only three as sufficiently proved, to wit:

(1) Sometime in 1947 Hatib Usman, a contact man of the respondent, approached one Maharajah Ajan in the municipal district of Siasi, Sulu, and told him that there was a pending criminal complaint against him in respondent's court for a certain offense allegedly committed by him during the occupation. Ajan countered that it was probably a frame-up. Whereupon Hatib told Ajan not to worry because if he would give respondent ₱50 the complaint would be dropped. When Ajan told Hatib that he did not have the means, the latter remarked that he had better think it over carefully because if he did not produce the necessary amount he would be sent to jail. Ajan had no other recourse than to look for money. It was from one Leonardo Dimerin, a former school teacher, that he was able to secure a loan of ₱50. Ajan then delivered the amount of Hatib, after which they proceeded to respondent's house. Ajan categorically stated having actually seen Hatib hand over the said amount to respondent. Dimerin confirmed that Ajan had borrowed ₱50 from him.

(2) Another victim of respondent was a Mohammedan priest named Hatib Abdulgani Malik. It appears that one day Malik went to respondent's court in Siasi to file a complaint against Moro Jayari Adin because of the latter's alleged refusal to deliver to him his share of the coconuts harvested from his land by Adin. Respondent told Malik to pay ₱25 for the complaint which the latter immediately paid to the former who added that his case was not of a very serious nature, otherwise the fee would have been more. After receiving the money, for which official receipt was issued, the respondent told Malik to go home and not to worry about the case, as he would call for the accused Adin. However, despite repeated requests from Malik for positive action against the accused, respondent failed to take any action on the complaint.

(3) It has likewise been established that sometime in 1948 herein complainant Napili was arrested by a group of constabulary soldiers somewhere in Sulu and brought before the respondent who ordered him to proceed with the soldiers to Tapul (part of respondent's circuit) to answer a charge pending against him for a crime supposedly committed by him during the occupation. In the investigation of