

**[ADMINISTRATIVE ORDER NO. 164, December
09, 1941]**

**REMOVING JUSTICE OF THE PEACE VICENTE CABALLERO TALENS
OF PANTABANGAN, NUEVA ECIJA, FOR CAUSE**

This is an administrative case against Vicente Caballero Talens, Justice of the Peace of Pantabangan, Nueva Ecija, for misconduct and immorality.

The record shows that shortly after assuming office in 1937, the respondent obtained transfers of several parcels of land nominally in favor of Mr. Felipe Buencamino, Jr. but actually in his favor and for his benefit. The respondent posed as the attorney-in-fact of Mr. Buencamino although he was not provided with a power of attorney from Mr. Buencamino. He made it appear in the deeds of conveyance that payments had been made on the purchase price of the land, wholly or partially, although such was not the fact. After the execution of the deeds of conveyance, he made partial payments on some of the transactions and failed altogether to make any payment on the others. In one of the transactions, the land involved was public land which was acquired by the vendor under the free patent provisions of the Public Land Act and was still inalienable at the time it was acquired by the respondent. (Sec. 118 of Commonwealth Act No. 141, as amended.)

Undoubtedly, the respondent used Mr. Buencamino's name notwithstanding that he was not the duly constituted attorney-in-fact of Mr. Buencamino, in order to easily win the confidence of the vendors of the land transferred to him. Had he not used Mr. Buencamino's name, he would not likely have succeeded in obtaining title to the properties in fee simple without making any payment therefor contrary to what appeared in the deeds of conveyance. The respondent, therefore, employed deceit in these transactions. His bad faith is further shown by the fact that in one of the transactions, although he agreed with the vendor to rescind the contract of sale due to his inability to make any payment on the purchase price, he refused to execute the necessary public document of cancellation.

It further appears from the record that the respondent has been maintaining publicly illicit relations with a married woman with whom he begot one child. He seeks to exculpate himself by claiming ignorance of the married status of the woman. But apart from the fact that such claim is not borne out by the evidence, the maintenance by the respondent of illicit relations publicly with a mistress, whether the latter be married or not, constitutes immorality. Under no circumstance can immorality be tolerated among members of the bench.

In view of the foregoing, and in accordance with the recommendation of the Secretary of Justice, the respondent, Vicente Caballero Talens, Justice of the Peace of Pantabangan, Nueva Ecija, is hereby removed from office effective immediately.

Done at the City of Manila, this 9th day of December, in the year of Our Lord,