

[ADMINISTRATIVE ORDER NO. 136, October 08, 1940]

**REPRIMANDING JUSTICE OF THE PEACE VICENTE AQUINO OF
ILIGAN, MANDULOG AND KAPI, PROVINCE OF LANAOS**

This is an administrative case against Vicente Aquino, Justice of the Peace of Iligan, Mandulog and Kapi, province of Lanao, who is charged with: (1) having refused to take the confessions of certain accused persons and having charged a fee of eighty centavos in cases where he actually took the confessions of persons accused of crime; and (2) abuse of authority.

After going over the evidence of record, I am satisfied that the first charge arose merely out of a misinterpretation of the law on the part of the respondent. Moreover, it appears that long before the filing of the present complaint, the respondent, upon instruction of the District Judge, had already corrected himself, and he had since then been taking, free of charge, the sworn statements of such accused persons who desired to make a confession.

The second charge is more serious in character. It is admitted by the respondent that he dismissed a criminal case for theft of large cattle against several moros, because the offended party and his counsel arrived three minutes late on the date set for trial, and that thereafter he released the accused under detention and cancelled the bonds of those out on bail. A new complaint was filed, but the respondent docketed it only after the lapse of one month. Respondent's defense that he was actuated merely by a desire to maintain punctuality in his court is unsatisfactory because he could very well have administered the necessary disciplinary correction without dismissing the criminal case pending before him. Neither is there merit in the defense of the respondent that he delayed the docketing of the new complaint so that the accused who could not be apprehended under the original complaint might show up in the belief that the Government had already desisted in prosecuting them, for the reason that not only the accused who could not be arrested since the beginning but also the other accused who were set at liberty as well as those whose bonds were cancelled, were able to go into hiding and evade further arrest. I agree, however, with the Secretary of Justice that there is no evidence of record showing that the respondent in this case was actuated by considerations other than a mistaken sense of personal importance.

In view of the foregoing, and concurring in the recommendation of the Secretary of Justice, the respondent, Vicente Aquino, Justice of the Peace of Iligan, Mandulog and Kapi, province of Lanao, is hereby reprimanded and warned that the commission by him of the same or a similar offense in the future will constitute sufficient cause for his removal from office.

Done in the City of Manila, this 8th day of October, in the year of Our Lord, nineteen