

**[ADMINISTRATIVE ORDER NO. 116, December
29, 1939]**

**REQUIRING JUSTICE OF THE PEACE JORGE C. CASCAYAN OF
VILLAREAL, SAMAR, TO RESIGN FROM OFFICE**

This is an administrative case against Jorge C. Cascayan, justice of the peace of Villareal, Samar, filed by Graciano Holares, chief of police of the same municipality.

The Judge of the Court of First Instance of Samar who investigated the case found the respondent guilty of the following charges: (1) That without legal justification, the respondent refused to docket a criminal complaint for malicious mischief against one Mariano Pintero filed by the herein complainant; (2) that the respondent refused to admit a complaint for resistance to a person in authority filed by a member of the local police against one Donato Gelbuy; (3) that in a case for violation of municipal ordinance prohibiting the sale of rotten foodstuffs, the respondent imposed a collective fine of five pesos upon all of the five accused, notwithstanding the clear provision of the ordinance that every person guilty of violation thereof shall pay a fine of not less than five pesos but not more than ten pesos; and (4) that in a case of qualified trespass to dwelling, the respondent sentenced the defendant to ten days imprisonment upon plea of guilty, despite the fact that the respondent was aware that he lacked jurisdiction over the matter. After a careful review of the record, I cannot but agree with the Secretary of Justice that the respondent has shown ignorance of the elementary law affecting directly the performance of his official duties, such as to demonstrate his unfitness for the position he occupies.

In view of the foregoing, and concurring in the recommendation of the Secretary of Justice, the respondent, Jorge C. Cascayan, is hereby required to tender his resignation as justice of the peace of Villareal, Samar, immediately upon receipt of this Order.

Done at the City of Manila, this twenty-ninth day of December, in the year of Our Lord, nineteen hundred and thirty-nine, and of the Commonwealth of the Philippines, the fifth.

MANUEL L. QUEZON
President of the Philippines

By the President:

JORGE B. VARGAS
Secretary to the President
