

**[ ADMINISTRATIVE ORDER NO. 12, October 12, 1946 ]**

**EXONERATING JUDGE QUIRICO ABETO FORM CHARGES WHICH GAVE RISE TO HIS INVESTIGATION IN 1941 AND ORDERING THE PAYMENT TO HIM OF HIS SALARY FROM THE DATE OF SUSPENSION, AUGUST 1, TO DECEMBER 31, 1941, INCLUDING THE THREE MONTHS' ADVANCE PAY AUTHORIZED IN ADMINISTRATIVE ORDER NO. 167, DATED DECEMBER 12, 1941, AND THE GRATUITY EQUIVALENT TO TWO MONTHS' SALARY AUTHORIZED IN ADMINISTRATIVE ORDER NO. 27, DATED DECEMBER 7, 1945**

This is an administrative case against the Honorable Quirico Abeto, Judge of the Court of First Instance of Manila, on charges of serious misconduct.

Acting on a letter dated 25 July 1941, signed by Attorneys C. A. DeWitt, E. A. Perkins and Alfonso Ponce Enrile, addressed to the Secretary of Justice and which was referred to the Supreme Court for investigation, this Court recommended to the President of the Philippines the suspension of the respondent pending such investigation. The President forthwith suspended the respondent. Mr. Justice Hermogenes Reyes of the defunct Court of Appeals was named investigator, and after an investigation which lasted more than one month, he recommended complete exoneration of the respondent in his report to the Supreme Court.

While this report was pending consideration in the Supreme Court, the war broke out, and in the course of the battle for the liberation of Manila, all the records of the Supreme Court, including the records of this case, were burned. In July, 1945, the Supreme Court, on petition of the respondent, ordered the reconstitution of the records of this case. Thereafter, the attorney for the respondent presented a motion for dismissal to which the complainants gave their conformity. The Supreme Court, however, denied this motion and forthwith ordered a new investigation appointing Justice Perfecto as investigator. While not all the records, such as the stenographic notes and the report of Justice Reyes, of the previous investigation were presented because of their loss, some documents, however, were produced, and the Supreme Court, on the basis of these documents, and by a majority vote, found the respondent guilty of improper conduct and recommended to the President of the Philippines that he be allowed to resign or not to return to office. The dispositive part of the resolution of the majority of the Supreme Court is as follows:

"From all the foregoing, and conformably to the vote of the majority, this Supreme Court resolves that it considers it its duty to signify to the President of the Philippines that it believes that the best interests of the administration of justice will be better served if Judge Quirico Abeto who committed such an improper conduct should be allowed to resign or not to return to office".