

IN RE RAMON TORRES, EDITOR OF EL DEBATE*. March 11, 1931*

Ponente: MALCOLM, J.

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In its issue of February 25, 1931, *El Debate*, a daily newspaper published in the City of Manila, saw fit to print on the front page an article entitled, "Sra. de Linao, Absuelta, se Rumorea." The article purported to name the author of the decision and even pointed out the probable vote on the case among the members of the court. On the Editor of *El Debate* being cited to show cause why he should not be held in contempt of court, his attorney has made a return which in the main is a legal defense. However, these questions have been heretofore sufficiently discussed in the case of *In re Lozano and Quevedo* ([1930], 54 Phil., 801), wherein the editor and reporter of an Iloilo newspaper were found guilty of contempt of court.

The return made by the Editor of *El Debate* concludes with this statement: "If it is a fact, therefore, that the decision in favor of the accused in the above-entitled case had already been discussed and voted by this Honorable Tribunal, the information given by the '*El Debate*' can in no way obstruct, embarrass, or influence the administration of justice because it deals with a consummated fact. It is nothing more than a simple scoop of the paper." Within the knowledge of the members of the court, the foregoing quotation is not true, for at the time of the publication in *El Debate*, the case in question had not been discussed and voted, although even if it had been and even if the newspaper story had been correct, would not be important. The proceedings of this court must remain confidential until decisions or orders have been properly promulgated. The reason of this is so obvious that it hardly needs explanation. In a civil case, for example, prior knowledge of the result would permit parties to benefit themselves financially or to compromise cases to the detriment of parties not so well informed. In criminal cases, for example, advance advice regarding the outcome would permit the accused to flee the jurisdiction of the court. The court must, therefore, insist on being permitted to proceed to the disposition of its business in an orderly manner, free from outside interference obstructive of its functions and tending to embarrass the administration of justice.

Notwithstanding the foregoing, it is still our desire to proceed in a tolerant manner to decide the case of the Editor of *El Debate*. The object before us is correction and not retaliation. At the oral hearing, the representative of *El Debate* has expressed regret at the ill-advised publication of the news item, and has indicated that rectification will later be made. All circumstances considered, the court rules that Ramon Torres, Editor of *El Debate*, is guilty of contempt of court, and that therefor he be required to pay into the office of the clerk, within a period of fifteen days from receipt of notice, the sum of P30. Justices Ostrand and Johns are of the opinion that the contempt should be dealt with more severely and that a fine of P100 should be imposed.

Avanceña, C. J., Johnson, Street, Villamor, Ostrand, Johns, and Romualdez, JJ., concur.

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