

REQUIRING AUXILIARY JUSTICE OF THE PEACE TEOFILO BUZON OF HILONGOS, LEYTE, TO RESIGN

ADMINISTRATIVE ORDER NO. 153, September 22, 1941

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This is an administrative case against Teofilo Buzon , Auxiliary Justice of the Peace of Hilongos, Leyte, for gross ignorance and abuse of authority.

The record shows that when Criminal Case No. 5818 of the Justice of the Peace Court of Hilongos, Leyte, for threat was called for hearing on June 15, 1940, the respondent, who was then presiding, ordered the arrest for contempt of Salvador Zarco, one of the defendants, for not having arrived yet in the court room and then transferred the hearing for June 19, 1940. The respondent later set aside the order of arrest in view of Zarco's appearance. On the latter date, he declared one Severino Boca in contempt because of his failure to appear in court as a witness in a case and ordered his imprisonment for one day which Boca served. The respondent had no authority to make the said orders as under the code of Civil Procedure which was then in force, a justice of the peace could not punish a person for indirect contempt.

It likewise appears that the respondent held the complainant guilty of direct contempt of court and ordered him imprisoned for one day. When a relative of the complainant initiated steps so that the order of contempt may be appealed from, the respondent would not accept a personal bond for the purpose of such appeal and would accept only a cash bond in the unfounded belief that only a cash bond was acceptable, with the result that the intended appeal was abandoned and the complainant served the penalty of one day imprisonment imposed upon him. The foregoing acts of the respondent show unmistakably his ignorance of elementary law governing the functions of his office.

Without going into the question of whether the respondent also committed abuse of authority, which under the circumstances is not necessary, I find the respondent guilty of gross ignorance of the law which requires his separation from the service in the interest of the proper administration of justice. A person who has no working knowledge of the law affecting the courts should not be allowed to occupy the office of justice or auxiliary justice of the peace.

In view of the foregoing and in accordance with the recommendation of the Secretary of Justice, the respondent, Teofilo Buzon, Auxiliary Justice of the Peace of Hilongos, Leyte, is hereby required to resign within fifteen days from the receipt of a copy of this Order; and should he fail to do so, he shall be ordered removed.

Done at the City of Manila, this 22nd day of September in the year of our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the sixth.

(Sgd.) MANUEL L. QUEZON
President of the Philippines

By the President:

(Sgd.) JORGE B. VARGAS

Secretary to the President

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