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MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 275

REMOVING MR. BASILIO ROQUE FROM OFFICE AS JUSTICE OF THE PEACE OF TALUGTUG, NUEVA ECIJA.

This is an administrative case filed by Bernardo Umipig against Justice of the Peace Basilio Roque of Talugtug, Nueva Ecija, for alleged immorality, drunkenness and acts unbecoming a public official.

The case was investigated by a District Judge of Nueva Ecija who thereafter submitted his report dated April 25, 1955. Up to that time Aurelia Umipig, complainant's daughter with whom respondent allegedly had immoral relations, had not been presented as a witness; on the contrary, her two affidavits absolving respondent from the charge of immorality had been submitted.

Pending action on said report by the Department of Justice, Aurelia Umipig wrote to the President of the Philippines confirming the truth of the complaint with respect to the charge of immorality. In view of this letter, the case was investigated anew by the same judge and her testimony taken. The investigator found the respondent guilty of the charge of immorality and recommended his separation from the service. The Secretary of Justice agrees with the investigator's findings and recommendation.

Aurelia Umipig, a married woman living separately from her husband by whom she has three children, testified that she met respondent in Talugtug sometime in September 1953 and he courted her. She accepted his offer of love and they lived together as husband and wife. On March 21, 1954, he brought her to Manila, where they stayed for three days at the Capitol Hotel. Afterwards he brought her to Paniqui, Tarlac, where they stayed for another three days; then to Nampicuan, Nueva Ecija, and then to Anao, Tarlac, where they stayed in the house of his sister for more than a month. From Anao, he brought her to the home of his parents in Nampicuan where they stayed for three days, and then to Manila for a stay of two weeks. Because of this relationship, she became pregnant and gave birth on July 31, 1954, in the house of respondent's sister in Anao. She lived in Anao for one month and then was brought again to Nampicuan in the house of respondent's parents who refused to let her leave the premises. However, she managed to escape in June 1955 but respondent's parents took her back to Nampicuan.

Two weeks later she was given permission to visit her cousin in Cuyapo, Nueva Ecija. She had not been visited since then by respondent who abandoned her in June 1955. She could not testify before because she was prevented by the respondent and his parents.

Respondent, who is a married man, denied having had any illicit relations with Aurelia Umipig and having taken her from place to place. He claimed that he only visited her because she wanted him to prepare the papers for her legal separation from her husband and the conveyance of a parcel of land; and that it was because of his visits to her for the purposes stated that he was suspected of having illicit affairs with her. As to the motive of Bernardo Umipig in presenting the complaint, he claimed that it was due to his refusal to accept the several invitations extended him by Umipig to attend parties because the latter had a pending case in his court.

After carefully weighing the evidence, I agree with the investigator that the respondent lived with Aurelia Umipig as husband and wife and took her to different places to hide her whereabouts. It is true that she executed affidavits and written letters denying any immoral relations with the respondent, but the same were made when they were living together and she was under his influence and control. However, when he abandoned her after the close of the first hearing in the belief that she could not do him any further harm, she, freed from his influence and control and terribly disappointed over her love affair with the respondent, wrote the letter which gave rise to the reinvestigation of the case.

As to the alleged motive of Bernardo Umipig in filing the complaint, it is hard to believe that he would expose the honor and reputation of his daughter for the flimsy reason given by the respondent, just as Aurelia Umipig would not have exposed her shameless life, as she did, if her illicit affairs with the respondent were not true.

In view of the foregoing, I find the respondent guilty of immorality. The other charges have not been substantiated and he is therefore exonerated therefrom.

As a public official charged with the dispensation of justice, the respondent should be morally upright to command the respect of the community. By his immoral conduct he ceased to be worthy of his exalted position which he thereby forfeited.

WHEREFORE, and upon the recommendation of the Secretary of Justice and the District Judge, Mr. Basilio Roque is hereby removed from office as justice of the peace of Talugtug, Nueva Ecija, effective upon his receipt of notice hereof.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and fifty-eight, and of the Independence of the Philippines, the thirteenth.

Carlos P. Garcia

By the President:

JUAN C. PA...
Executive Secretary