

MALACAÑANG

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 166

REMOVING MR. GREGORIO E. EDILLO FROM OFFICE AS JUSTICE OF THE PEACE OF LILOAN AND PINTUYAN, LEYTE.

This is an administrative case against Justice of the Peace Gregorio E. Edillo of Liloan and Pintuyan, Leyte, for allegedly collecting fees beyond what is allowed by Republic Act No. 145 for his services in assisting claimants to benefits under the laws of the United States administered by the United States Veterans Administration (USVA).

The case was investigated by the District Judge before whom Francisco Supangan, Florentina Palar, Vicente Amparo, Andrea Encinas, Alfonsa Angub (through her son, Juan Basa, she being too old to testify) and Ruperta Cagadas, who were all recipients of compensation benefits from the U.S. Veterans Administration, testified as follows: that they were assisted by the respondent who was then municipal mayor of Libagon in the preparation and prosecution of their claims with the U.S. Government; and that with the exception of the last two claimants who had no definite agreement with the respondent as to the amount of his fees it was stipulated that respondent would get for his services 10% of whatever amount would be paid to them by the U.S. Government.

From the testimony of these claimants it appears that Supangan received from the USVA the total sum of P10,000, Palar P5,161, Amparo P5,700, Encinas P6,000, Angub P8,108 and Cagadas P3,818. Supangan, Palar, Amparo and Encinas declared that respondent actually collected from them the stipulated 10% as his share, while Angub and Cagadas stated that they paid the respondent P700 and P720, respectively. All the six witnesses also declared that when respondent collected his fees from them he was already a justice of the peace.

The respondent denied the charge, alleging that he helped these claimants without expecting any reward inasmuch as he was then their municipal mayor and that he did not in fact receive a single centavo from any of them or from any of the other claimants whom he had also helped. He attempted to strengthen his defense with the testimony of Nemesio Egina, treasurer-postmaster of Libagon, Leyte, to the effect that the checks of the aforesaid pensioners were cashed in his office and that he paid them all in full.

It appears, however, that Egina was also denounced by the USVA for supposedly fleecing claimants for compensation benefits; that in fact it was while he was being investigated by a Post-Office Inspector that Justice of the Peace Edillo was implicated

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by witnesses as his co-conspirator; and that the report of the Post-Office Inspector in the case against Egina was the basis of the complaint filed by the USVA against the herein respondent. Egina's interest in Edillo's exoneration is therefore understandable. Moreover, even assuming that Egina paid the pensioners' checks in full, this does not prove that the respondent did not collect his fees. It is not alleged by the pensioners that respondent's fees were deducted by Postmaster Egina when he paid their checks.

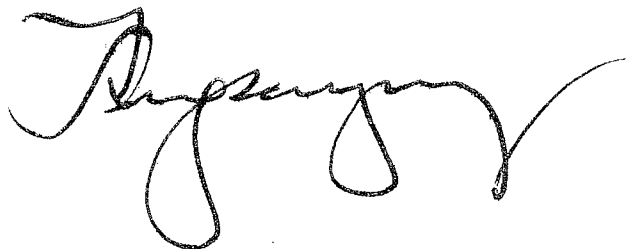
Other witnesses presented by the respondent were persons who also received pensions from the USVA. They testified that although they were assisted by respondent in the preparation of their claims he never charged them any fee. As regards these witnesses, suffice it to say that the mere fact that respondent did not charge them for his services does not mean that he never collected from others.

The respondent attributed the filing of the charge against him to the fact that he refused to work for complainant Isidoro E. Jabonillo's candidate for Congressman in the November 1953 elections. However, the record fails to show that the witnesses who testified against the respondent were induced by Jabonillo. But whoever was responsible for initiating the charge, the fact remains that, as held by the District Judge, there is sufficient evidence to prove that the respondent violated Republic Act No. 145, in view of which the Judge recommends his criminal prosecution.


I find no reason for doubting the declarations of the witnesses against him. Respondent himself said that, when these witnesses were preparing their claim papers, he was then their mayor; that he believed it was his duty to help them without expecting any reward; and that as a matter of fact he did not charge them for his services. If these were true, I cannot understand why these persons who received compensation benefits from the USVA in no small amounts, through respondent's efforts, should now testify falsely against him at the mere behest of Jabonillo. There is no showing that Jabonillo possesses any moral ascendancy over them.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Gregorio E. Edillo is hereby removed from office as justice of the peace of Lilean and Pintuyan, Leyte, effective upon receipt of a copy of this order. Let the record of this case be returned to the Department of Justice for the institution of the corresponding criminal action for violation of Republic Act No. 145 against the respondent.

Done in the City of Manila, this 31st day of December,
in the year of Our Lord, nineteen hundred and fifty-five, and
of the Independence of the Philippines, the tenth.



By the President:



MARIANO TENKO, JR.
Assistant Executive Secretary