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MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES  
ADMINISTRATIVE ORDER NO. 246

REMOVING MR. CESAR GONZALES FROM OFFICE AS JUSTICE OF THE PEACE  
OF KANANGA, LEYTE.

This is an administrative case against Justice of the Peace Cesar Gonzales of Kananga, Leyte, who is charged with the following improper acts and conduct allegedly committed while he was acting municipal judge of Ormoc City from July 17, 1952, to March 14, 1953: (1) regular and unauthorized absences, (2) malversation of public funds, (3) illegal and unauthorized collection of funds, (4) wilful failure to pay just debts, (5) cashing a spurious check, (6) unethical and illegal practice of law and (7) swindling a fellow lawyer. The case was investigated by the district judge who found the respondent guilty under charges (2) and (6) and innocent as to the rest. After a review of the record I agree with the investigator whose finding has been upheld by the Secretary of Justice.

It appears that during the period from September 5 to December 17, 1952, respondent as acting municipal judge of Ormoc City collected and received from different persons various sums totaling P208.20 as fines and legal fees which he failed to turn over to the city treasurer's office immediately or within a reasonable time after the collection; that when the irregularity was discovered by examiners of the auditing office he was asked by the assistant city auditor on February 28, 1953, to explain his failure to make the turnover and to make good the amounts involved; that after several demands by the auditor he paid P45 on March 11, 1953, and the balance of P163.20 six days thereafter; and that in view of this same irregularity respondent is now facing a criminal case for malversation in the Court of First Instance of Leyte.

Respondent's explanation that the money representing fines and legal fees had all along been in his office desk intact is unsatisfactory. The fact that it took him quite some time to turn over the money involved after having been required to make good the amount only goes to show that he had to look for money elsewhere to reimburse the Government.

It also appears that from April 19 to June 19, 1954, respondent received various sums ranging from P3.21 to P7.96 weekly from each of the branches of the Labor and Stevedoring Organization of Leyte as honorarium for being assistant legal counsel of that organization, which post he accepted and held without the permission of his superiors in violation of law and regulations (Sec. 77, Judiciary Act of 1948; Ex. Ord. No. 103, s. 1913; and Sec. 6, Civil Service Rule XIII).

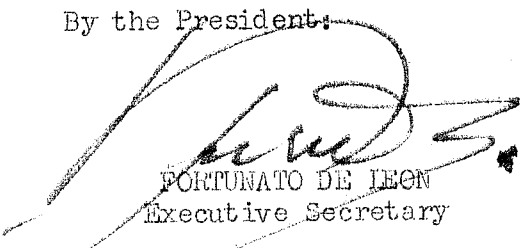
His claim that he had no connection with the said labor organization from which he did not receive any compensation is likewise unsatisfactory. It has been duly established both by oral and documentary evidence that he was appointed as assistant legal counsel of the Labor and Stevedoring Organization of Leyte and received, personally or through his authorized representatives, various sums of money as his weekly shares in the income of the branches of that organization.

WHEREFORE, and upon the recommendation of the Secretary of Justice and the district judge, Mr. Cesar Gonzales is hereby removed from office as justice of the peace of Kananga, Leyte, effective as of August 31, 1955, the date he was suspended from office by the district judge.

Done in the City of Manila, this 8th day of June, in the year of Our Lord, nineteen hundred and fifty-seven, and of the Independence of the Philippines, the eleventh.

*Cesar Gonzales*

By the President:

  
FORTUNATO DE LEON  
Executive Secretary