

MALACAÑANG  
RESIDENCE OF THE PRESIDENT  
OF THE PHILIPPINES  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 387

REPRIMANDING MR. ESPERIDION BACSA, JUSTICE  
OF THE PEACE OF STA. MARIA, PANGASINAN

This is an administrative case against Mr. Esperidion Bacsa, justice of the peace of Sta. Maria, Pangasinan, for allegedly taking part in the prohibited game of *monte*, which was investigated by the District Judge.

In the afternoon of December 6, 1955, a gambling den in Dagupan City was raided by constabulary men, and respondent was among those arrested. Criminal Case No. 2439, for violation of Article 195 of the Revised Penal Code was forthwith filed on December 10, 1955, in the Municipal Court of Dagupan City against those apprehended, including respondent who was also charged administratively based on the same facts alleged in the information. District Judge Rodolfo Baltazar (now deceased) conducted a preliminary investigation of the administrative complaint and, finding the charge against the respondent amply proven, recommended his preventive suspension pending the adjudication of Criminal Case No. 2439. Upon legal grounds, however, the Department of Justice did not endorse the recommendation for implementation and instead requested the District Judge to conduct a formal investigation of the administrative case and to submit his recommendation without awaiting the outcome of the criminal case. The investigation was conducted on July 28, 1958, this time by District Judge Javier Pabalan, who found the respondent guilty of the charge.

In the meantime Criminal Case No. 2439 dragged on for more than two years until January 15, 1958, when the Municipal Court of Dagupan City convicted some of the accused who had pleaded guilty and dismissed the case provisionally against 23 others, including respondent herein, for alleged failure of the prosecution witnesses to appear. Upon being informed of the action taken by the court, the Constabulary authorities sought the refile of the case and it was again docketed as Criminal Case No. 3700 of the same court where it is still pending.

The respondent did not submit any evidence during the formal investigation and rested his case solely on the testimony which he and his two witnesses had previously given in the preliminary investigation before the late Judge Baltazar. His defense is that he entered the gambling den to look for a certain person and not to participate in the *monte game*.

As a justice of the peace respondent ought to have realized that his mere presence in a gambling den for whatever purpose, especially at a time when a prohibited game was going on, was not only highly improper but also extremely imprudent, considering his official position in the enforcement of the gambling law.

WHEREFORE, Mr. Esperidion Bacsa is hereby reprimanded and admonished to be more careful in his future conduct, otherwise drastic action will be taken against him.

Done in the City of Manila, this 29th day of December,  
in the year of Our Lord, nineteen hundred and sixty-  
one, and of the Independence of the Philippines, the  
sixteenth.

CARLOS P. GARCIA  
*President of the Philippines*

By the President:

EDILBERTO B. GALLARES  
*Assistant Executive Secretary*