

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 60

DISMISSING ELISEO G. DAYAO FROM OFFICE AS JUSTICE OF THE PEACE OF PIKIT, PAGALUÑGAN, SILIK, CARMEN, KABACAN, BALATICAN, DANISILAN, KIDAPAWAN, AND KITUBUD, PROVINCE OF COTABATO.

This is an administrative case against Justice of the Peace Eliseo G. Dayao filed on December 31, 1936, by the then Provincial Governor of Cotabato, Capt. Dionisio Gutierrez. The respondent is charged with partiality in the performance of his duties in that on December 18, 1936, he refused to accept in his capacity as justice of the peace of Pikit, Cotabato, a criminal complaint charging his cousin, Pablo Dayao, with the robbery of about P30,000 from the Office of the Deputy Provincial Treasurer of Cotabato at Pikit on the evening of December 16, 1936, and to issue the necessary warrant for the search of the premises occupied by Pablo Dayao.

The respondent is further charged with having thereafter accompanied the suspects, German Cosio and Pablo Dayao, to the latter's house, coaching them in connection with the robbery, and further advising Pablo Dayao not to make any oral or written declaration except through his attorney.

The respondent alleged that he refused to accept the complaint because the supporting affidavits were defective and contradictory. It appears however, that when he was called by the Provincial Governor of Cotabato on December 19, 1936, he accepted the complaint and issued the corresponding warrant of arrest as well as the search warrant prayed for, on exactly the same affidavits he declared to be defective and contradictory when first presented to him on December 18, 1936.

The respondent denied the other charges but the evidence presented at the investigation conducted by the Provincial Fiscal of Cotabato, sufficiently prove the aforesaid charges. He did not even present his three witnesses during the in-

vestigation to corroborate his simple denial. It is very apparent that he deliberately delayed the course of justice in order to favor his cousin, Pablo Dayao, as a result of which the latter was able to hide about ₱5,000 of the Government funds stolen from the Deputy Provincial Treasurer's Office at Pikit, Cotabato.

The Secretary of Justice recommends the respondent's removal from office because of his proven lack of integrity, evident partiality and want of coöperation with other public officials in the discovery and punishment of a serious crime because a relative of his was involved, and I concur fully in his findings and recommendation.

In view of the foregoing, Eliseo G. Dayao is hereby ordered dismissed from office as justice of the peace of Pikit, Pagaluñgan, Silik, Carmen, Kabacan, Balatican, Danisilan, Kidapawan, and Kitubud, Province of Cotabato, for the good of the service.

Done at the City of Manila, this 15th day of February, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

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