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MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. <sup>364</sup> 364

EXONERATING SOLICITOR LAURO C. MAIQUEZ OF THE OFFICE OF THE  
SOLICITOR GENERAL.

This is an administrative case against Mr. Lauro C. Maiquez, solicitor in the Office of the Solicitor General, for alleged dishonest conduct highly prejudicial to the interest of the service. It was investigated by the Commissioner of Immigration who recommends respondent's exoneration in which the Undersecretary of Justice concurs.

It appears that respondent was designated acting judge of Branch III of the Municipal Court of Manila from April 7 to July 14, 1954. Among the cases tried by him was Civil Case No. 30909, entitled "Dominador Cruz, plaintiff, versus Rosita de la Cruz, defendant," for illegal detainer. Plaintiff sought defendant's ejection from a parcel of land located somewhere in Tondo, Manila, and defendant set up a counterclaim for ₱1,000 as improvements introduced by her in good faith in the premises.

Complainant claims that the trial of the case was originally set for May 9, 1954, and then postponed to May 20, 1954, when she testified. Before she could go far in her testimony, she was stopped by the respondent after the latter had winked at plaintiff and his counsel. After trial, which began at one o'clock in the afternoon, respondent told her, from the rostrum and within hearing of the public, to wait so she would know the result of the case.

When respondent saw her with companions in his chambers, respondent asked her why she brought so many people when what he was to tell her was a delicate matter which might prove prejudicial to him. She answered that they were persons of her confidence, whereupon respondent told her that he would make her win the case if she forked over ₱100. She answered that she did not have that much but promised to pay ₱5 monthly installments which was agreed upon. He asked her how much money she then had, and she told him ₱12 which respondent asked from her. Having no other money for expenses, she gave him only ₱7. Respondent further told her to bring to his house on May 25, 1954, one tiklis of mangoes and 200 pieces of bananas, giving her his address on a piece of paper, which she did.

*Lauro C. Maiquez*

On the occasion of the delivery of the fruits respondent demanded from her the ₱5.50 which she had as he was going to the show. After some haggling she gave him ₱5. She was assured of a favorable decision in her case. However, on July 16, 1954, she received a copy of the decision which was adverse to her. The next evening she went to respondent for an explanation and was told that she lost the case because of her failure to give the ₱5 installment due on June 30, 1954, but if she could give him ₱10 he would change his decision. She replied that she would give money once the decision was changed.

Respondent vehemently denied complainant's derogatory claims. He alleged that he was not in such financial straits as to exact measly sums from a poor litigant like complainant whose means of livelihood were begging and washing clothes; that being a man of means, aside from receiving a fairly good salary, he would not be so foolish as to jeopardize his long career in the Government especially at that time when he was being groomed by influential people and the Municipal Board of Manila for a permanent position in the municipal court; and that there was no way of rendering a decision in complainant's favor.

I find respondent more worthy of belief than complainant. Her evidence is incredible, conflicting and contradicted by reliable evidence.

Her case could not have been set for trial on May 9, 1954, as it was Sunday. The claim that the case was tried after one o'clock in the afternoon of May 20, 1954, is belied not only by respondent but also by the two lawyers of the parties in the case who stated that the trial started about 11 A.M. and was finished shortly after noon; that complainant was afforded full opportunity to testify; and that respondent left the court premises ahead of them. Complainant's own lawyer said that she went home with him without passing through respondent's chambers.

The testimony as to the delivery of the fruits is not only incredible but hopelessly contradictory. Whereas she testified that only one of her sons accompanied her on that occasion, Mariano Corpuz, one of her companions, said that her two sons were with them. Again she claimed that it was respondent's sister who met them and that the fruits were brought to a room on the second story. However, Corpuz said it was a man servant who met them and the fruits were taken to a room on the first floor. Complainant declared that they rode in a small taxicab in going to respondent's residence, whereas Corpuz said it was a big one. Her son claimed that they started from Quiapo for respondent's

Quezon City residence at 2 P.M. and reached their destination, after stopping only to obey traffic signals, a little before dark. The normal driving time does not take half an hour.

It is incredible that a judge, in open court and before the public, would advise a party-litigant to see him in his chambers for the outcome of the case. Being a man of sufficient means, as reflected in his statement of assets and liabilities, and an aspirant for judgeship, respondent could not have stooped so low as to demand petty sums from a poor litigant and thereby jeopardize his future and career in the government service.

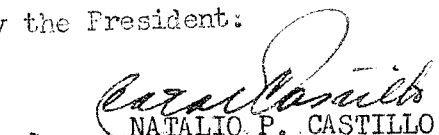
Other absurdities and material contradictions could be recited but those stated are believed sufficient. I am inclined to believe that the complainant, who was allegedly suffering from some mental infirmity, wanted to wreak vengeance on the respondent because of her disappointment in losing the case and failing to obtain the exaggerated amount she was demanding in her counterclaim. I agree with the investigator that complainant's evidence is utterly unbelievable.

Wherefore, and upon recommendation of the investigator and the Undersecretary of Justice, Solicitor Lauro C. Maiquez is hereby exonerated from the charges against him.

Done in the City of Manila, this 31st day of July, in the year of Our Lord, nineteen hundred and sixty-one, and of the Independence of the Philippines, the sixteenth.



By the President:



NATALIO P. CASTILLO  
Executive Secretary