

NOVEMBER-DECEMBER



*Philippine*  
**KHAKI**  
and  
**RED**

OFFICIAL JOURNAL AND  
GENERAL MAGAZINE OF THE  
PHILIPPINE CONSTABULARY

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The Turnover

Eavesdropping and the  
Law

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Searches and Seizures

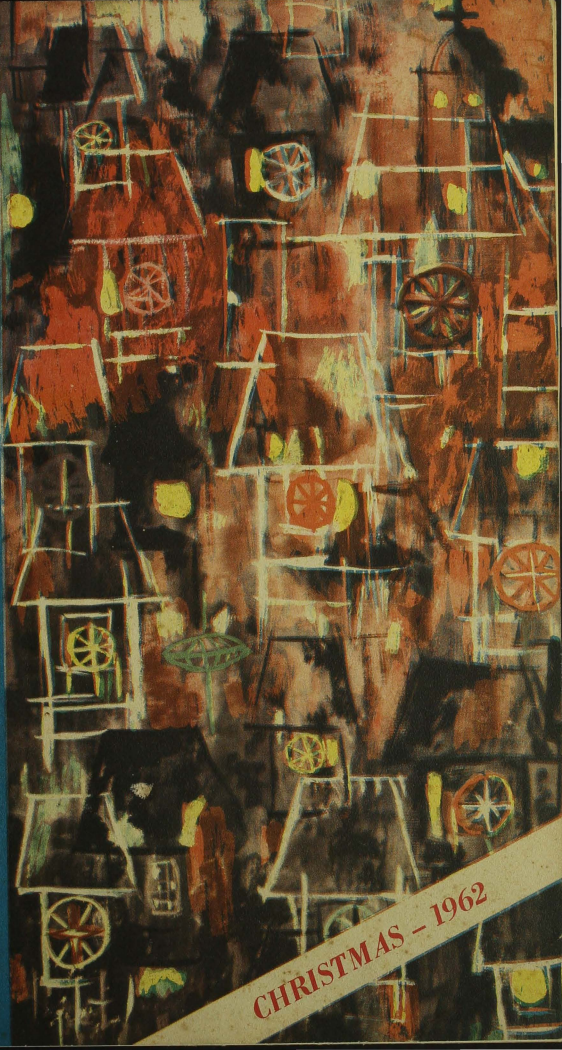
TPX "SUBOK"

Road Safety and Economy  
and others



**35** TH YEAR  
OF PUBLICATION

**CHRISTMAS - 1962**





**BRIGADIER GENERAL DOMINADOR F. GARCIA**  
*21st Chief of Constabulary*

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It has been pointed out bluntly that "the PC has not been too successful in stopping the trafficking in smuggled cigarettes," that rampant gambling is "going on in clandestine dens and casinos in many of the large cities in the country," and that travelers are not "free from molestation by lawless elements." Further it was written that "the HUK problem, fortunately, is not the serious threat that it once was. Still, the No. 1 HUK, Jesus Lava, has defied all the efforts of the PC to capture him. While Lava remains at large, he and the hard core of dissidents under him will continue to be a thorn on the PC side." And as a concluding statement, it was written that "General Garcia, therefore, has his work cut out for him. But he is a competent, capable man. We congratulate him on his appointment and voice the hope that he will meet the problems squarely."

The foregoing is an honest year-end appraisal of the situation facing the Command in 1963. We cannot but take guidance from this external source. Added to our own survey of the problems of the Command, it could be the civilian partner's contribution to the over-all assessment of what could well be the special tasks of the Philippine Constabulary for the new year. For if these are the il's that throb then certainly they deserve primary attention.

"That we may live in peace, unharmed." To this prayer and pledge the Philippine Constabulary is likewise committed. Let us not forget the evil that seeks emergence from among our youth, our schools and institutions.

In the flurry of everyday problems — of corruption, filth, banditry, smuggling — your national police is also waging a war to the death — against Communism.

To the solution of these problems, we dedicate ourselves.

**KHAKI AND RED**

MAJOR CONSTANTE MA. CRUZ  
Editor & General Manager

*Subscription Rates*

In The Philippines:	
One Year .....	P10.00
Six Months .....	6.00
Three Months .....	3.00
In The United States of America & Abroad:	
One Year .....	P40.00
Six Months .....	24.00
Three Months .....	12.00

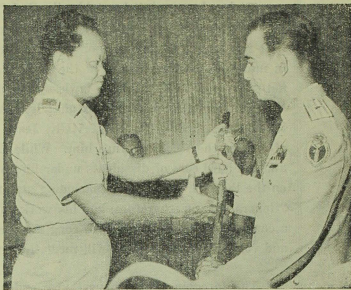
Entered As Second Class Mail At Post Office, Manila, On November 6, 1926.

Single Copy: P1.00

Vol. XXXV, Headquarters, Philippine Constabulary, Camp Crame  
Quezon City, Philippines  
Tels. 71011 or 66611 thru 66620, local 4-74-83

# THE TURNOVER

By a Staff Member



Chief of Constabulary Brig. Gen. Dominador F. Garcia receives the saber, symbolic of command, from the then Acting Chief Brig. Gen. Nicanor D. Garcia.

**H**AIL the Chief! Brigadier General Dominador F. Garcia became the 21st Chief of Constabulary when he took his oath of office before President Diosdado Macapagal on January 4, 1963 at Malacañang. On hand were Defense and other government officials, ranking officers of the Armed Forces and their ladies, his staff, and well-wishers. Amidst handshakes, the new chief seemed to scan the faces of officers who were there to wish him a successful tour. That he seemed mentally forming his staff then was borne out by the immediate announcement of his Secretary of the Constabulary Staff, Lt. Col. Bruno G. Balancio. This was followed by the announcement of his new general staff: C1, Col. Esmeraldo R. Lazaro; C2, Col. Francisco M. Jimenez; C3, Col. Delfin E. Argao; C4, Lt. Col. Pedro G. Javier; C5, Lt. Col. Onofre T. Ramos. Lt. Col. David C. Adventurado was designated Camp Commander. From Malacañang, he accepted the command of the Philippine Constabulary, at simple ceremonies at Camp Crame, from the acting chief, Brigadier General Nicanor D. Garcia. In the early afternoon, he motored to Fort William McKinley to turn over the command of the Philippine Army to Brigadier General Ricardo G. Papa. He had indeed a busy day.

And so to General Nicanor D. Garcia, we bid a fond adieu. His one year as acting chief was characterized only by accomplishments. If he considered the command of the Philippine Constabulary as the fulfillment of all that he desired in life, as a sort of crown to top his military career, then he could say with pride: I am not obliged to win; I am only obliged to try.

For the record, through the pages of the **KHAKI and RED**, we take pleasure in reprinting what the

Philippine Army Information Office has written about the new Constabulary Chief:

## BIOGRAPHICAL SKETCH

An exceptionally brilliant and distinguished officer is the new Commanding General of the Philippine Army, Brig. Gen. Dominador F. Garcia, whose military career is replete with colorful and outstanding accomplishments.

Born in Malate, Manila on November 22, 1912, Gen. Garcia started his military education when he topped the entrance examinations for cadetship in the Philippine Military Academy, Baguio City. After his graduation in 1936, he was commissioned 3rd Lt. and assigned Junior Officer in a Constabulary unit in Sta. Cruz, Laguna, where he proved his mettle during the Asedillo uprising. Then followed his other assignments: Student Officer in the School for Regular Officers, Camp Murphy; Cadre Comdr, 8th Iloilo Cadre; Bn Tac OFF, SRC, Camp Keithley, Lanao; Instructor, PMA, Baguio; Student, The Infantry School, Camp Murphy; and Comdt, ROTC, Lacon College, Manila. At the outbreak of World War II, Gen. Garcia, then a Captain, inducted into the USAFFE, was G3 of the 81st Division until the PA forces surrendered to the Japanese in May 1942.

In 1945, he attended the CGSC, USA. Subsequently, he became chief, Plans Div, G4, HPA; Dep & Ex O, G4 Div, HNDF; assigned ROTC Units and 5th BCT; G4, PGF; G4, II MA; G3, II MA; Chief of Staff, II MA; CO, Thunder Sector; Dep Comdr, II MA; CO, Task Force Martian; Supt, PASC, PATC and ACoS, G4, CHQ, AFP.

(Continued on page 45)

# AFFIDAVITS—

## Their Significance and Probative Value

By Maj. Buenaventura Fernandez

**E**ARLIER decisions of the Supreme Court of the Philippines show that affidavits are not admitted as evidence in criminal cases. Instances may be cited in U.S. v. Esconde, 25 Phil. 579, 580 and in U.S. v. Javier, 37 Phil. 449, 451, the latter citing Justice Day of the United States Supreme Court in a case of Philippine origin, Dowdill v. U.S. (1911), 221 U.S. 325. This stand of our Supreme Court has not changed since then. Lately, in *People v. Mariquina*, 84 Phil. 39, 42, the same court held:

*Generally, an affidavit is not prepared by the affiant himself, but by another who uses his own language in writing the affiant's statements. Omissions and understandings by the writer are not infrequent particularly under circumstances of hurry or impatience. For this reason, the infirmity of affidavits as a species of evidence is much a matter of judicial experience.*

### Infirmities of affidavits, as species of evidence, are much a matter of judicial experience.

Again in *People v. Mones*, G.R. No. L-2029, May 26, 1950, the Supreme Court in believing more the testimony of the witness where it was at variance with his previous sworn statement or affidavit said:

*The defense also points to an apparent discrepancy between Fr. Gabriel's affidavit taken by Asst. Prov. Fiscal Palisoc and his testimony during the trial. In his affidavit, Fr. Gabriel failed to mention that he told Leoncio Mones and Crispulo Pangangaan that Juan Mones was the one who shot at Capt. Doliente. Omissions of this kind are not infrequent in affidavits which are almost always incomplete and often inaccurate sometimes from want of suggestions or inquiries without the aid of which the witness may be unable to recall or mention collateral circumstances. And furthermore the omitted detail in the instant case cannot detract from the fact that Fr. Gabriel did see Juan Mones in the act of shooting at Capt. Doliente.*

A Similar ruling was enunciated in *People v. Tan, et al.*, G.R. No. L-516, June 29, 1951. In part, the high court ruled:

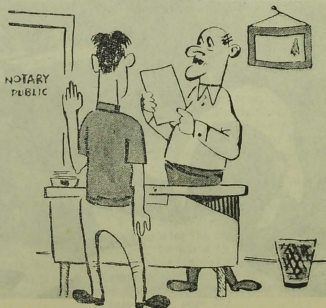
*As aptly pointed out by the Solicitor-General, the contradictions, if any, may be explained by the fact that an "affidavit x x x will not always disclose the whole facts and will oftentimes and without design incorrectly describe without the deponent detecting it, some errors in the occurrence narrated x x x" (2 Moore on Facts 1088) and "being taken ex parte, is almost always incomplete*

*and often inaccurate, sometimes from partial suggestion, and sometimes from want of suggestions and inquiries, without the aid of which the witness may be unable to recall the connected collateral circumstances necessary for the correction of the first suggestion of his memory, and for his accurate recollection of all that belongs to the subject" (2 Moore on Facts, 1094-1095).*

This ruling is repeated in several other cases; namely, *Campos v. Government*, CA-GR No. 9137, March 25, 1942, 2 O.G. No. 7, July 1943, p. 686; *People v. Patinio*, CA-GR No. 2691-R, Nov. 19, 1948; *People v. Paguilaan*, CA-GR No. 10837-R, Feb. 24, 1954; *People v. Dimdim*, CA-G.R. No. 7395-R, Oct. 26, 1953; *People v. Timbang*, 74 Phil. 295, 299; *People v. Fader*, G.R. No. L-5732, March 12, 1954 and many more.

Another reason why affidavits are not admis-

sible as evidence is because they are hearsay. The hearsay rule prohibits proof of a fact by having a witness testify to what someone else told him or by introducing a book, document, report, or other paper in which statements are made, or by producing a written statement made by someone not in court.



(Continued on page 41)

# THE COURT MARTIAL SENTENCE

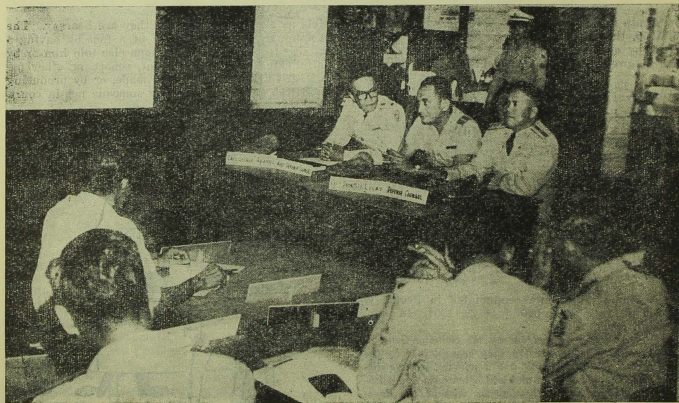
By Maj. Domingo C. Reyes

**N**ORMALLY, court-martial function is completed upon arriving at a sentence of conviction or acquittal. But, insofar as the execution of the sentence is concerned, the court-martial that imposed it is no longer a party to the same. The sentence promulgated by the court is merely a recommendation to the authority who constituted it. The proceedings of a court-martial pertaining to a case heard by it partakes of the nature of a report of a body of officers addressed to their superior officer who ordered them to make it, the whole court-martial process not being complete and the sentence has no effect until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being. In military parlance, the officer appointing the court referred to is commonly known as the Convening/Reviewing Authority who is usually the commander.

That no sentence of a court-martial shall be executed until the same shall have been approved by the officer appointing the court or by the officer com-

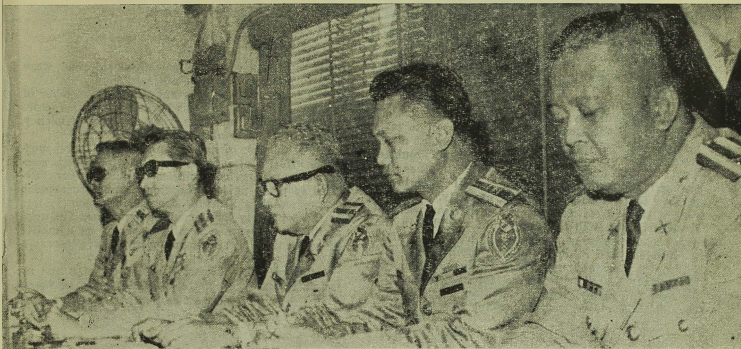
manding for the time being, connotes a meaning not too absolute. It simply means that all other actions necessary must precede the approval of the convening authority before execution of the sentence is ordered. There are court-martial sentences which, in addition, need certain requirements before they can be carried into effect even after the approval of the Convening/Reviewing Authority. These are:

(1) approval of an officer authorized to appoint a general court-martial, (2) action of the Board of Review which shall be approved by the Judge Advocate General, and (3) confirmation by the President. Consequently, therefore, the executions of court-martial sentences may fall under four categories, namely: (a) those which can be carried into effect merely after approval by the Convening/Reviewing Authority; (b) those which require the approval of the officer who possesses the general court-martial jurisdiction of the command; (c) those which can not be ordered unless and until the Board of Review, with the approval of The Judge Advocate



A Court-Martial in Session

**Execution of a court martial sentence is dependent on superior authority creating the court martial.**



*The President of the Court reads the sentence*

General, shall have held the record of trial upon which the sentence is based legally sufficient to support the sentence; and, (d) those which, in addition, require the confirmation of the President. Although the three categories (b, c, d) relate to conditions precedent before execution of the sentence can be ordered, the approval of the Reviewing Authority should precede these actions. These sentences, notwithstanding the expressed approval of the Reviewing Authority, still are of recommendatory nature unless and until the requisite requirements are complied with. Approval of a sentence by the Reviewing Authority must be expressed whether orally or in writing. An approval of the findings only is not sufficient to make the sentence executory. The disapproval of a sentence by the Reviewing Authority closes the case, and its confirmation or disapproval by higher superior authority is not required in any case. Since this is also an action by the Reviewing Authority, the same should likewise be expressed. **Decisions of acquittal or a finding of not guilty neither needs be approved or confirmed, nor disapproved.** Such action, in any case, will not affect the finality of the acquittal or findings of not guilty. On this particular instance, the sentence of a court-martial is not any more a mere recommendation.

In cases of convictions, the penalties imposed are graduated commensurate with the gravity of the offense committed. The Table of Maximum Punishments in our Manual for Court-Martial provides the guide for the purpose. In all cases where the sentence of a court-martial does not exceed confinement at hard labor for more than six months and two-thirds forfeiture of pay, or pay and allowances, and involves neither dishonorable nor bad conduct discharge, approval of the same by the Reviewing Authority renders the sentence executory. However, a sentence involving dishonorable discharge, bad-conduct discharge or confinement in a penitentiary may, upon approval of the same by the Reviewing Authority, order its execution of the conviction was based solely upon findings of guilty and a specification or specifications to which the accused pleaded guilty.

Special Courts-Martial may impose upon the accused a sentence of bad-conduct discharge. A sentence of this nature, before carried into execution, shall be approved by an officer exercising general court-martial jurisdiction over the command in addition to the approval of the same by the convening authority. If the convening authority who appointed the special court-martial that imposed the sentence also exercises general courts-martial jurisdiction, ap-

*(Continued on page 37)*

# ROAD SAFETY and ECONOMY

By Lt. Col. Paterno R. Santos, QMS

**Authorities concerned must be familiar with factors of road efficiency, time and space.**

**R**ALPH WALDO EMERSON once said "This time, like all times, is a very good one, if we but know what to do with it."

In our ordinary day-to-day activities, as well as in time of emergency, we would do well to take heed of the above quotation. In the event of a necessity to evacuate a designated Target/Troubled Area in Luzon and elsewhere in the Philippines, the national and provincial highways will have to be utilized to their maximum road capacity. The period of time involving maximum utilization will vary accordingly with the number of vehicles in the area, road conditions, orderliness in which traffic is directed, and other attendant conditions. The Philippine Constabulary, which is the national police agency vested with overall supervisory authority over the majority of the civilian police forces, can and will play a very important role in the or-

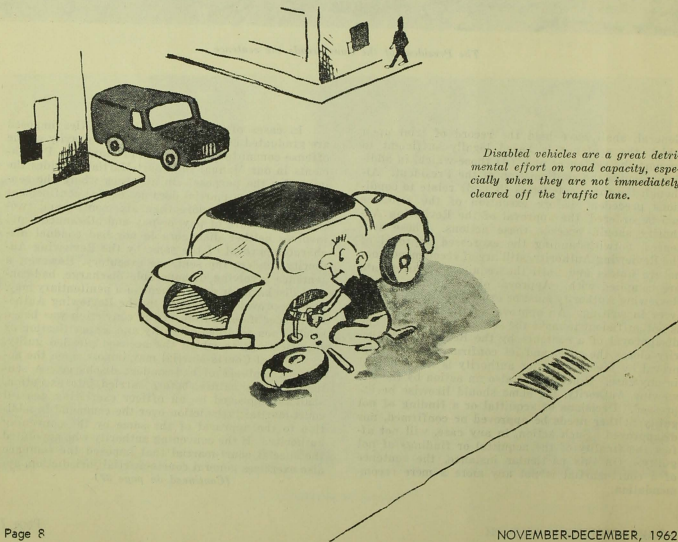
derly, efficient and safe utilization of road ways both in peace and in time of emergency.

It is, therefore, important that each member of our law-enforcing agencies be familiar with factors governing road capacities, road capacity efficiency, problems on "time and space," etc.

The purpose of national planning is to get maximum effort and capacity from the industrial, commercial, and service facilities of our country. Related to planning is the optimum base from which expansion should begin, considering such factors as the capability for immediate expansion, financial ability to preserve a healthy economy as a matter of national policy; time factor involved; the resultant effects; etc.

Several other factors are both complex and intangible, and they make up the vexing problems

*(Continued on page 34)*



*Disabled vehicles are a great detrimental effort on road capacity, especially when they are not immediately cleared off the traffic lane.*



**Aware of its limited facilities, TRAFCON concentrates its operations on critical areas.**

## 2 CONGRESSMEN DIE IN CRASH

**A**NGELES, Pampanga, November 4, 1954. Two congressmen were instantly killed and four others, including another solon, were seriously injured when their car returning from La Union crashed into a gravel truck in Barrio de la Paz, San Fernando, Pampanga, at 6:10 P.M. today.

Killed on the spot in the national highway between Kms. 75 and 76 were Rep. Gregorio B. Tan of Samar and LP Rep. Lorenzo Ziga of the first district of Albay.

Injured were LP Rep. Pedro Trono of the first district of Iloilo; Dr. Manuel Arambulo of the Bureau of Hospitals; Jaime Rodolfo, Secretary of the House committee on Health; and Rosendo Andrada, driver . . .

The car was running between 40 and 50 kilometers per hour.

# The

# TRAFCON

# Story

By Benjamin L. Corpuz

## 6 HITCH-HIKERS DIE IN SORSOGON

**Sarigao, Sorsogon, November 21, 1954.**

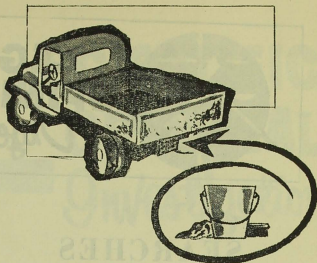
A Philcusa-FOA dump truck was reported yesterday to have crashed into a ditch in Lianga town, pinning to death 6 civilian hitch-hikers and injuring 7 others. The driver reportedly had no driver's license and was driving at a fast clip when his truck swerved to the right upon hitting a rock on the highway. It fell into a ditch and all the 6 were killed outright when pinned under the truck . .

## 6 KILLED IN ROAD ACCIDENT

**Dagupan, Pangasinan, November 24, 1954.**

Six were killed and two are dying while 22 others were seriously injured when a Philippine Rabbit bus from Manila bound for the Ilocos crashed into a parked cargo truck in Barrio Anonas, Urdaneta, Pangasinan, at 4:00 A.M. today.

The cargo truck, parked because of a flat tire, was filled with 120 sacks of rice. The tail lights were on but the Philippine Rabbit bus approached in high speed. It crashed into the truck with a



A little elbow grease applied on car number plates would go a long way in identifying the vehicle in a hit-and-run case.

very terrific force that all the rice was spilled all around the crash site.

. . . all from the Manila Times.

The fate of the two congressmen and several other victims of road accidents of catastrophic proportions, such as noted above, aroused public indignation and focused national concern over the seriousness of the highway situation. A regional conference of all police chiefs, traffic officers, constabulary agents, Motor Vehicle Officers, and bus representatives disclosed that more people die in motor accidents than in battle clashes between government troopers and dissidents in the Philippines. At least five persons killed daily due to motor vehicle accidents, was the estimate agreed upon during the conference held by the country's top experts.

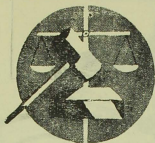
In the wake of a nationwide war against traffic violators, Vicente Oroza, then Acting Secretary of Public Works, recommended the establishment of the nucleus of a national mobile police, patterned after that of the United States. This was to be composed of 6 units with one PC lieutenant and one MVO inspector in each unit. Northern, Central and Southern Luzon were to have one unit each; Eastern and Western Visayas, also one unit each; and another unit for Mindanao.

As a result of the Oroza recommendation, and his personal concern for the safety of motorists and the general public on the highway, then President Ramon Magsaysay issued a directive—coupled with AFP General Order No. 535—creating the Philippine Constabulary TRAFCON Group, primarily, to coordinate agencies engaged in traffic control and intensify the campaign against violations of traffic rules and regulations.

Thus, TRAFCON was born.

Col. Mariano Azurin, ex-commanding officer of the first contingent (PEFTOK) sent to Korea, was handpicked by Magsaysay to head the new TRAFCON group. This however, was but a re-activation of the basic PC pre-war function of enforcing the

(Continued on page 39)



## LEGAL OPINION Digest

The guaranty of freedom from unreasonable searches and seizures recognizes exceptions.

## SEARCHES and SEIZURES

**C**URRENT developments in government activities, especially as pertain to the drive against venalities and illicit practices, have brought about situations and circumstances requiring legal and technical clarification.

The more prominent and frequent of these situations and circumstances involve the matter of searches and seizures. In this connection, the question now arises: "May a vehicle and/or moving object be searched without search warrant?"

The guaranty of freedom from unreasonable searches and seizures recognizes exceptions, one of which is the search without warrant of moving objects, such as vehicles and vessels. This exception is due to necessity arising from the impracticability of securing a search warrant because the vessel or the vehicle can be quickly moved out of the locality or jurisdiction in which the warrant must be sought (See *Carroll vs. United States*, 267 US 132). However, those lawfully within the country, entitled to use the public highways, have a right to free passage without interruption or search unless there is known to a competent official authorized to search, **probable cause** for believing that their vehicles are carrying contraband or illegal merchandise. The measure of legality of such seizure, therefore, is that the seizing officer shall have reasonable or probable cause for believing that the automobile which he stops and searches contains contraband goods which are being illegally transported (47 Am. Jur., 513-514).

It would therefore appear that in every case, the seizing officer would still be acting unlawfully

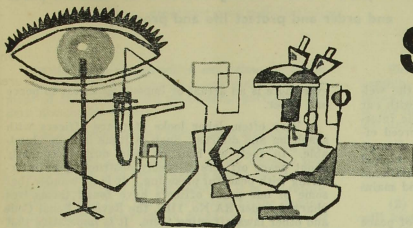
and at his peril **unless he can show probable cause**. In other words, to be exempt from a suit for damages or any possible criminal action for violation of any of the civil liberties guaranteed in the Philippine Constitution, the searching officer must be able to establish **satisfactorily** that the factual circumstances immediately preceding his search were such that had he chosen to apply to a proper court for a search warrant, he would have been entitled to the same in the normal course of events. If he would not have obtained the warrant, then the searching officer is in grave danger of being made to answer, either criminally or civilly, for his action.

Probable cause may be defined as such reason, supported by facts and circumstances, as would warrant the act of a cautious man in the belief that his action, and means taken in prosecuting it, are legally just and proper (*US vs. Addison*, 28 Phil. 566; See also *PP vs. Syjuco*, 64 Phil. 667).

It is, however, emphasized that save as indicated above, nothing in the foregoing may authorize an agent of the law to "subject all persons lawfully using the highways to the inconvenience and indignity of a search. Only travelers crossing an international boundary may be stopped and their vehicles searched without a warrant because of national self-protection reasonably requiring one entering the country to identify himself as entitled to come in, and his belongings as effects which may be lawfully brought in" (*Cooley's Const. Limitation*, 8th ed., 629).

It is likewise emphasized that nothing in the foregoing may authorize the search of the persons who may be occupants of the car which may be searched under the circumstances cited above. The mere presence of said persons in said car does not make them lose the immunities to which they would otherwise be entitled (*US vs. Di Re*, XIII Lawyer's Journal, 118).

It is to be understood finally that if the object of the search and seizure includes smuggled dutiable goods, the prerogative of searching moving objects, such as vehicles and vessels without warrant under Sec. 2211, RA No. 1937, may be exercised **ONLY BY PC PERSONNEL DEPUTIZED BY the Commissioner of Customs pursuant to Sec. 2203 (c), RA No. 1937.**



## NEW FORENSIC APPROACHES

By a Staff Member

**Crime detection technicians must constantly grow in knowledge to keep abreast with modern trends.**

WITH this issue, we are inaugurating a section on the technique of scientific crime investigation. In the main, the section will be devoted to articles on laboratory functions and procedures. We aim to impart to our readers and to all PC military personnel, as well as to the interested public, the best information available concerning various forensic science subjects, observations and scientific procedures designed to improve and enhance our service to the nation. It is hoped that the information to be gleaned from subsequent articles will have potent and far reaching effects on the practice of criminology and on the appreciation of criminalistics in our country. We will try to cover all fields of forensic sciences, like crime detection, Investigation, Polygraphy, Police Photography, Fingerprinting and Dactyloscopy, Forensic Chemistry, Forensic Psychiatry, Firearm Identification, Trace Evidence Identification, QD Analysis, Toxicology, Spectrography, Microscopy, Hematology, and Legal Medicine. Although these subjects are of practical interest mostly to police officers, the interested public will not be deprived of the valuable information pertaining to detection and weeding out of criminals in our society.

The different forensic approaches are not static activities. Every now and then new methods of identification are developed in police laboratories. Technicians of various fields of endeavors must constantly "grow" in their knowledge in order to keep abreast with the world's best and thus cope with the rising tide of criminal and subversive activities. We intend to apprise our readers of our part in safeguarding the younger generation and

# SCIENTIFIC CRIMINAL Investigation

in making them realize that there is no glamor or glory in crimes. Through the science of identification and crime detection we hope to have a part in minimizing if not eradicating, lawlessness and thereby share with the entire PC Command the vital task of maintaining peace and order.

## New Look

AN example of a new improvement in the camp is the renovation of the PCCL. Originally, the laboratory was jammed into a small utility room. As a result, the chopped-up work space cut sharply into the laboratory's efficiency. How-

*(Continued on page 47)*



MAJOR ANTONIO U. BRIONES, MC  
Chief, PC Criminal Laboratory

The mission of peace officers during strikes is to maintain peace and order and protect life and property.

**B**ASICALLY, governments exist for the welfare of the people and this is true with our own government. It can be said that public interest can be served best when laws are enforced effectively and peace and order is maintained properly. It is for this reason that city and municipal police forces, the Constabulary and other national law enforcement agencies are organized and maintained by our government.

Law enforcement and the preservation of peace and order are continuing activities of police agencies and this task and responsibility become doubly demanding and delicate during labor disputes. The role of peace officers during labor dispute, especially when such disputes result in "Strikes" or "Lockouts," is exacting and requires not only knowledge of the situation and circumstances but also determination, patience, tact and understanding of human nature.

Consider the term "Labor Dispute." The term includes any controversy concerning terms, tenure

ever there is an actual or impending threat to peace and order.

Very often, labor looks at peace officers with suspicion and distrust. Such attitude is understandable. In fact, we hear or read quite frequently about peace officers allegedly obstructing or interfering with peaceful picketing. It is no wonder that some of our peace officers have found themselves charged under RA No. 1167, the Revised Penal Code and other laws affecting them. It is imperative that this attitude of labor and sometimes, even of management, about peace officers be changed to one of trust and confidence. Failing to achieve this change, there can be little or no respect for or voluntary obedience to our authority and we cannot expect spontaneous public support and cooperation in the maintenance of peace and order in the strike bound areas.

The question may be asked: "How can peace officers play their role during labor disputes so as to keep the strike and/or picketing lawful and peace-

## HANDLING THE LABOR DISPUTE

*By Lt. Col. Luciano Gunabe*

or conditions of employment, as concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee. An industrial dispute may result in "strike" or "lockout." Strike means any temporary stoppage of work by the concerted action of employes as a result of an industrial dispute. "Lockout" means the temporary refusal of any employer to furnish work as a result of an industrial dispute.

The mission of peace officers during strikes is to maintain peace and order, protect life and property and perform such other tasks as directed by proper authority. In the performance of this mission, the principal duty of peace officers is to keep the "strike" or "lockout" peaceful and lawful. However, the resolution of legal issues is left to the proper government agencies designated by law. Peace officers are assigned in strike areas when-

ful?" There is a ready, two-fold answer to the question:

First is Service-Performance and Second, Official and Personal Norm of Conduct.

Service is the physical and spiritual obedience in rendering the duty required of any office. Performance is the act and manner of executing one's official duties.

Official and personal norms of conduct refer to the standard behaviour manifested by the individual in his official and personal dealings.

In order to render such type of service and performance during labor disputes, it is imperative that a peace officer must know the laws involved and the procedure governing their implementation.

As to the laws involved, it is necessary that peace officers acquaint themselves with (1) RA No. 875

*(Continued on page 59)*

**The freedom enjoyed by a trade union must be exercised with due  
restraint and self-discipline.**

**T**HE trade unions which are primarily organized for the economic and social advancement of the workers are an integral part of a modern democratic society.

The governments and enlightened employers, accepting this fact, try to accommodate themselves with the basic needs and aspirations of the working people who mainly bear the brunt of social services and economic activity of the community. It is, therefore, unjustifiable to find the governments or the employers sometimes attempting to crush the trade unions engaged in collective bargaining for the purpose of guarding and improving the conditions of life and work of their membership.

In spite of this, a trade union is bound to function effectively in a free society, provided it is organized and conducted properly. On the contrary, in a totalitarian society, where everybody and every organization is expected to play a subservient role

For a union to act, is to enroll maximum membership, to collect dues regularly, to utilize union funds properly and to secure maximum participation of the membership in the democratic functioning of the union.

(1) Membership — the strength of a union will depend on the representative character that has got to be established when negotiations and conciliations are to be started with the employers.

(2) Finances — regular collection of union dues will keep the union functioning properly with the provision of a well organized office and an efficient staff.

(3) The proper utilization of union funds will give confidence to each member who will feel that his own contribution is spent in his own well-being.

(4) Maximum attendance in the committee and membership meetings will indicate the general interest that is taken by the rank and file in the union.

## **THE CONCEPT OF TRADE UNIONS**

*By G. Mapara*  
(ICFTU Representative in Southeast Asia)

to the state, trade unions, as free agents, are not allowed to function or to act.

The freedom which a trade union enjoys in a democratic country has got to be exercised with due restraint and self-discipline, otherwise it would lead to self-destruction. A trade union will show its worth, usefulness and organized strength when it begins to act. For a trade union to exist is to act.

We often find that trade unions are very active during strikes; but it would be seen that the success in a strike would largely depend on the continuous activity of a union before the strike began. It is like winning a race for which one has to keep one's body in form or in a fit condition always. In this small article I want to emphasize a few activities that a union should conduct before it gets ready for an industrial action, remembering always in mind that a fizzled-out or an unsuccessful strike is the greatest disaster that can happen to a union. Instances are not lacking when unsuccessful strikes have demoralized workers to such an extent that they become anti-union.

Such meetings may be devoted to discussions of day-to-day problems and general demands.

There are also other constructive activities which a union can organize, like trade union education, and setting up a research section which will study economics of industry, as well as working class family budgets, wages, housing, welfare schemes and social security, etc. Such information would be essential when a union puts forth demands for an improvement in the wages or in other conditions of work.

These basic activities will keep a trade union in fit condition to act decisively in times of emergency, like calling a strike. The trade unions have to remember that strike is the last weapon in their armory and it hurts both ways, one who wields and against whom it is wielded. Greatest precaution has, therefore, to be taken before direct action is resorted to. The following four conditions will go a long way to ensure a success in a strike: (1) legitimate and just demands; (2) public sympathy; (3)

**T**HE original Senate Bill No. 358 sought to amend Secs. 2, 4, and 14 of Rep. Act No. 875, otherwise known as the Industrial Peace Act, by (1) conferring on the Court of Industrial Relations (CIR) the exclusive jurisdiction to impose penalties (Sec. 25) for violations of the Act; (2) requiring an employer to file 10-day notice with the Conciliation Service of his intention to hire employes in place of strikers during a strike; and (3) considering the violation by either employer or employe of an existing collective bargaining agreement as an unfair labor practice. Because of overwhelming opposition from all quarters including labor unions, these proposed amendments were abandoned, and instead an amendment by substitution to said Senate Bill No. 358 was filed.

The substituted bill, which is entirely different from the original measure, seeks to penalize any "peace officer and/or armed person" who shall "transport or escort in any manner any person who seeks to replace strikers within the premises of a strike area."

A strike is usually manifested by a picket line. This is a valid exercise of the freedom of expression, but it must be peaceful. (*Mortera vs. C.I.R.*, 79 Phil. 345). Violence, intimidation, coercion or threats from any quarter including management and union, are not covered by the proper exercise of the right to picket. Hence, the objective of the amend-

## THE INDUSTRIAL PEACE ACT

By Sen. Ambrosio Padilla

menting in strikes and picketing characterized with violence and intimidation from their side, for fear of being penalized. In short, peace officers would hesitate to keep peace and maintain order.

There can be no question that above all other considerations, peace and order have to be main-

### The Act draws particular attention to a significant requisite for issuance of a writ of injunction in a labor dispute.

ment by substitution is laudable for the presence of armed men at the instance of capital or of labor must be discouraged and avoided.

Likewise, peace officers, charged with the duty of maintaining peace and order or of protecting life and property, must not take sides during a strike, much less help "transport or escort" replacements thru the picket line.

I felt, however, that a peace officer must be placed in the same category as an armed person. If neither management nor labor can legally make use of violence during a strike, certainly an armed person, who is a stranger to the labor dispute, has no place in the strike area, much less to transport or escort "scabs." A peace officer also must not intervene in the strike, but he has duties to discharge in the strike area by way of maintaining peace and order. While this substituted bill prohibits and penalizes only the transporting and escorting of replacement of strikers, I felt it would have the general effect of discouraging peace officers from in-

tained during a strike. As a matter of fact, the explanatory note of this substituted bill states that peace officers "should be there to uphold the law and maintain peace and order." In the sincere belief that this bill would have the effect of discouraging peace officers from complying with their sworn duty to maintain peace and order, lest their actions be misunderstood and thus unduly expose them to complaints and criminal prosecution under the provisions of said bill, I brought to the attention of my colleagues in the Senate the advisability of distinguishing between an "armed person" and a "peace officer."

I also drew attention to the circumstances that under the Industrial Peace Act, one of the requisites for the issuance of a writ of injunction in a labor dispute is that "the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection" (subpar. (5), par. (d), Sec. 9). Labor has always con-

**P**EACEFUL picketing is a lawful means of labor union activity and is permitted in any bona fide conflict with an employer of labor. Organized labor has the rights of free speech and peaceful picketing. In peaceful picketing there is an entire absence of fraud, violence, coercion or anything of an intimidating nature. It is characterized by peaceful persuasion for the promotion of a lawful purpose. The term peaceful picketing implies not only the absence of violence but the absence of any unlawful act. It authorizes picketing which does not interfere with the person or property of another by the unlawful use of force, violence, intimidation or threats. It precludes any form of physical obstruction or interference with an employer's business or the misrepresentation of the facts of the controversy, and should not go beyond the allowable area of

## THE PICKET LINE

(Adapted)

intimidate the patrons, and the pickets neither do nor say anything which involves any element of threat or moral coercion. (*Bottling Co. vs. Lawlor*, (Pa.) 18 Leh L.J. 243)

Picketing is peaceful and orderly where four or five pickets remain in the neighborhood of the

**Peaceful picketing implies not only the absence of violence but also  
of any unlawful act.**

peaceful persuasion. The line between lawful and unlawful picketing is similar to that between peaceful persuasion and intimidation. The persuasion that the law permits leaves the will of persons free to choose. It is addressed to reason. Thus, picketing is peaceful where representatives of the union are stationed upon a road or a considerable distance from the land where an employer is carrying on his business and the men who continue to work there are in no way molested; or where there is a small picketing patrol carrying banners that do not misrepresent the facts; or where the pickets are confined to a reasonable distance from the entrance to a place of business so that they cannot annoy or

employer's shop and only one is active at a time, the others remaining near enough to take turns as the active picket. And if that picket carries no sign or banner but merely walks back and forth on the sidewalk in front of and ten or twelve feet from the employer's shop saying "This store is unfair to organized labor" or "Do not patronize this store," he is guilty of no intimidating or coercive acts. Only where pickets speak words in a menacing manner or accompany them by a show of force, may the words be found to carry a flavor of intimidation rather than peaceful persuasion. So long as no crowds are collected near the employer's business, and free entrance thereto is not impeded, where there are no threats or utterances of false statements, picketing is peaceful. If no crowds congregate because of the movement of an automobile through the streets which uses a music-producing box to attract attention, there is no intimidation or coercion. However, a music box may not play loud and boisterous music.

Whether picketing in any particular case is peacefully carried on is a question of fact. Minor disorders may occur during peaceful picketing, owing to the over-enthusiasm of the pickets, which do not render unions responsible and which they generally repudiate. But when a particular case is reviewed by the courts, there is a little difficulty in drawing the line between acts permissible and acts forbidden. (*Exchange Bakery v. Rifkin*, 245 N.Y. 260)

The mere distribution of cards in the vicinity of particular place of business by members of a union, who do not speak while doing so, is peaceful. Persons receiving the cards are not put in fear of their personal safety if they proceed into the shop. So long as they are not addressed in a manner likely to create an impression of danger, such acts are lawful. (*Kirmes v. Adler*, 311 Pa. 78)



Senator Ambrosio Padilla keynotes labor-management relations confab.

# LETTER

*The Khaki and Red*  
Philippine Constabulary Journal  
and General Magazine  
Philippine Constabulary  
Camp Crame, Quezon City  
Attention: Maj. Constante Ma. Cruz  
Editor & General Manager

Gentlemen:

*In our world there are all kinds of men, each living in accordance with his chosen life philosophy and service attitude. A good many who are endowed with the spirit of deep loyalty and self-sacrifice attune their entire being to responding to the demand of serving the best interest of God, country and their fellowmen, in disregard of their own selves. The majority are indifferent, and some are opportunists.*

*To the heroic men of dedication and high purpose we owe our divinity in life, the strength of our national economy, the dignity of our people and the prestige of our government. These are the heights towards which a people should direct all their energies and time to achieve.*

*It is unfortunate that in our age we have more about notoriety than heroism in our readings. Is this because from day to day more men do evil than good? It would be more salutary*

*in its effect upon our mental health if our reading public, especially the young, could have more to read everyday about the good deeds of our people than otherwise.*

*The Philippine Constabulary stands as our national guardian for peace and order. The heroic deeds of the men in Khaki and Red, individually or collectively, are a beacon light to our youth inclined towards heroism during peace time. Let us all hope that this image will hold eternal.*

*Even in his early youth my departed brother, Lt. Francisco V. Canuto, only had one obsession in life — to join the Philippine Constabulary. He came to Manila after graduation from the high school in 1918 but failed to qualify as a Philippine Constabulary Academy cadet because of his height. This did not swerve him from his determination to be a member of that organization. He enlisted as a private from which humble beginning he rose in rank until by dint of service he finally joined the academy and became an officer. Records of the Philippine Constabulary would bear out the fact that he pacified the colorums of Siargao, Surigao, and to preserve the peace of this group he transferred them to an hacienda which he purchased in the barrio now called San Francisco in Mainit Municipality of Surigao. It was while in retirement in this hacienda, living with*

## LABOR RELATIONS INSTITUTE

A 3-day course conducted by the Asian Labor Education Center for Philippine Constabulary personnel and other Police officers throughout the country offers the following:

### OBJECTIVES:

1. to help acquaint PC personnel and other Police officers with the status of Philippine labor-management relations;
2. to give PC personnel and other Police officers a working knowledge of the problems, rights and responsibilities of both labor and management which could well serve as their guidelines in connection with their duties of policing industrial conflicts; and
3. to orient PC personnel and other Police officers on the various areas of conflicts and issues involved in a labor dispute or strikes.

**METHODS OF APPROACH:** In order to achieve the above objectives, discussions on the following subjects will be undertaken:

1. The Role of Trade Unions in a Free Society
2. The Philippine Labor Movement Today
3. Labor-Management Relations: Practices and Principles
4. Labor-Management Relations: Areas of Conflicts
5. Labor and Industrial Conflicts
6. The Public's Stake in Industrial Peace
7. The Role of Government Labor Agencies in Industrial Conflicts
8. The Role of Police Officers in Industrial Conflicts
9. Management and Industrial Conflicts
10. The Goal of Industrial Peace

**CERTIFICATE OF COMPLETION:** Each participant who shall have completed the 3-day Institute is entitled to a Certificate of Completion to be awarded by the University of the Philippines Asian Labor Education Center.



# THE HPC ENLISTED MEN'S CLUB

By Msgr. Bonifacio Tubiera

**It has yet to undergo the process of growth, but  
club members are a determined lot.**

**I**N almost every big organization or establishment there usually are clubs, associations and many other fraternity groups, all designed to foster harmony, cordiality and cooperation within such organizations or establishments. These groupings are not, necessarily, an organizational requirement. Rather, they are manifestations of human relations for the ultimate good of society and of those who make up the society.

The Philippine Constabulary is no exception. Within its fold, there exists a number of personnel associations and, as intended basically, they are for the common good of this National Police Organization and of its members.

One such group in the PC is the HPC EM's Club. As the name suggests, it is an association of PC enlisted men in the different divisions, staffs/sections and separate units of Headquarters Philippine Constabulary. It has to date, a membership of more than one thousand.

The club officers for 1962 as finally constituted are: MSgt Eliseo V Fernandez, President; FSgt T R Malonzo, Vice President; MSgt B Tubiera, Secretary (appointed); SSgt Carlos Muñoz, Treasurer;

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*the people to whom he had promised his life assistance, that the Japanese caught up with him during the occupation as an unsundered officer. What followed you have already narrated in your Khaki and Red, September-October 1962 issue.*

*The five other surviving brothers and sisters of Lt. Francisco V. Canuto join me in making this acknowledgment of the time and effort you spent in making the research so that you can publish the sad but heroic ending of the life of my deceased brother as a member of the Philippine Constabulary. Personally, I had a premonition as soon as the Japanese occupied the Philippines that if my brother ever fell into their hands his uncompromising attitude in life would bring nothing but death. For my deceased brother did not value living if it were to be purchased at a cost that will make life meaningless.*

*Sincerely yours,*

(Sgd.) JOAQUIN CANUTO

TSgt Carlos Velasquez, Auditor; MSgt Calixto Redondiez, Business Manager; TSgt Zate, PRO; FSgt Tolentino and SSgt Odoño, Sgts.-at-arms. Board Members: MSgt B Javier, OCF; MSgt Ibarra, HPC Mtr Pool; MSgt Mabanag, HPC & HSB; MSgt Clamor, PC Band; MSgt Alcantara, Repl Det; FSgt Corpuz, 117 PC Ranger Co; FSgt Agustin, 144 PC Ranger Co; FSgt Rogado, HPC Det (appointed); MSgt Honesto Cunanan, PCIG (appointed); and FSgt Clamor, PC Sig Co (appointed).

Like all other associations, the HPC EM's club is concerned, among other things, with benefits that should accrue to members of the club by virtue of their membership. One such benefit is the monetary aid to the wife and/or heirs of any member who dies. The club's by-laws provide for a compulsory one-peso contribution in such a case. There is also a provision for an automatic contribution of fifty centavos (P0.50) by each club member to be given to a member in case of the death of his immediate dependent or dependents.

The HPC EM's club is a member of the Enlisted Personnel Central Steering Council, which is composed of representatives of EM's Clubs from the five major commands: PC, PA, PAF, PN and GHQ, AFP. Among its various activities, the Council is consistently working on more benefits for the entire enlisted personnel of the AFP; and this could only be achieved through the combined efforts of the Presidents of the five EM's Clubs of the five major commands and GHQ.

It would be well to mention in this connection that MSgt Fernandez holds the distinction of being the only club president to be commended for the discharge of the functions of his office. The commendation, signed by former PC chief, Brig. Gen. Isagani V. Campo on 9 Dec. 1961, was for "sound, timely and competent management coupled with outstanding ability in the conduct of the club's affairs, matured guidance and deep interest in the welfare of the club, zealous accounting of the club's funds, prompt payment of death claims, acquisition of tangible assets for the clubhouse, and other accomplishments that proved his dynamic leadership."

The HPC EM's club is young and therefore, must yet have to undergo the process of growth. The process, undoubtedly, is replete with many difficulties, as are all things else going through the ordeal of coming of age. But the club members are a determined lot, inspired as they are by the club leadership and the encouragement from the PC hierarchy.

# COURAGE: The Right Way

By a Staff Member

Only for the "good" and the "noble" should one  
be imbued with courage.

**L**T. Col. Artemio S. Espidol, provincial commander of Cavite, was invited recently as guest speaker at a weekly convocation of the Quezon High School students.

The Colonel was to speak on COURAGE, which was the convocation theme. A shy speaker (this the Colonel confessed unashamedly to QHS lady teachers and almost begged to be excused), he finally found courage to speak on "courage;" and it turned out a courageous speech, indeed.

Col. Espidol started with an invocation of the generally known concept of courage as laid down by Mr. Daniel Webster in his famous dictionary.

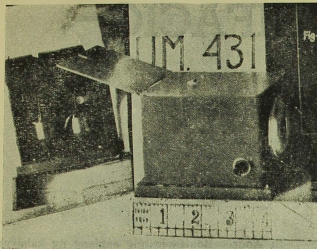
Webster, according to Espidol, referred to courage as "that quality of mind which enables one to encounter danger and difficulties with firmness; valor; boldness — that firmness of spirit which meets danger without "fear," etc.

The Colonel took Mr. Webster to task, imputing by inference that courage, as defined by the learned lexicographer, could mean, in other words, an emboldened state of mind to do either good or evil. Col. Espidol would be more specific: he pointed to the "good" and the "noble" as the only excuse for imbuing one with courage. (Mr. Webster please take note).

"So that is the definition of courage," the Co-



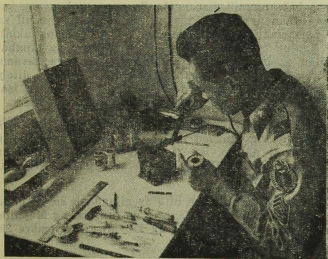
Lt. Col. Artemio S. Espidol (inset) speaks to students on "courage"



## AUTOMATIC BURGLAR ALARM

**P**ICTURE shows Utility Model-431 filed with the Director of Patents on 1 October 1962 by Technical Sergeant Jose N. Baldovino of Headquarters, PC, Rizal. The utility relates to an automatic burglar alarm for use in television sets, radio phonographs, sewing machines and other valuable appliances. It is designed to give the striking sound of the horn, that will not stop until the members of the family are awakened to switch it off.

Picture below shows Sgt. Jose N. Baldovino working on his invention shown in above picture.



The device will help the authorities, through the victim, in determining the time the culprit touched or tampered with the appliance, and at the same time, even the description could be ascertained by the authorities in case the victim is alert enough to verify why the device had given the alarm signal. The victim will be of great help to the authorities in furnishing the time, the description and other information relative to the commission of the crime.

Sgt. Baldovino believes that his invention, if patented, will be of great help to the public, as well as to the authorities, in minimizing, if not eradicating, criminality in their operational jurisdiction. All Chiefs of Police attending a seminar at the PC school expressed unanimous approval of the gadget when presented by Sgt. Baldovino.

Sgt. Baldovino joined the PC on 20 December 1957 and has been an NCO in-charge of the Rizal PC police crime laboratory.

lonel said after citing Mr. Webster. "Therefore," he argued, "courage can be utilized for something good or for something bad."

The Colonel now took occasion to elucidate on "courage" as he would want it understood. All of a sudden, he was a preacher to the boys and girls of QHS, enjoining them "to use courage in the right direction." Specifically, he counseled the QHS students never to lose hope in the face of difficulties attendant to the acquisition of knowledge. Have courage instead, he said.

Not oblivious of juvenile delinquency, to which not a few of today's teenage population are susceptible, Col. Espidol discouraged the young's courage in such wayward resorts as drinking, sex exploits, canto-boy haunts and a lot of present-day frivolities

of the youth.

For all the things that the Colonel imparted to the high school students, the unanimous acclaim could well be "more courage to the Colonel!"

Courage, of course, is not anything new to the serviceman. He had it when first he considered enlistment. He made good use of it, as he still does, in his responsibilities in the interest of national security. But there's nothing like brushing up on one's courage. As for the serviceman, he simply cannot afford to relax on his courage; it must be present in him at all times as he goes about his business of thwarting all attempts at jeopardizing his country's peace, order and security.

The Espidol speech, if at all, served as a necessary reminder in these times of stress and strain.

# ANDRES BONIFACIO—

## Hero of Manila

*In a recent proclamation by Manila Mayor Antonio J. Villegas, the Great Plebeian was officially declared "Hero of Manila." Below is a reproduction of the Mayor's proclamation in Tagalog.*

*Antonio J. Villegas, the Great Plebeian*  
*Below is a reproduction of the Mayor's*

ANG dugo ng mga bayani ay pananalaytay sa mga ugat ng taga-Maynila, mula pa sa dakilang raha ng magkabilang pangangay Pasig na si Lakan Dula na pinagkatakutan ng mga Kastila nang sila'y unang sumadsad dito. Ang kabayanihan ng rahang ito ay sumalin sa lalong napabantog na pangalan ng kanyang anak na si Raha Sulayman. Ang paghihimagsik laban sa kapangyarihang Kastila ay nagtining sa katapangan ng gimalilitang Magat Salamat.

Sa larangan ng kalinangan ay nangunguna ang pangalan tubong Maynila si Tomas Pinpin sa sining ng paglilimbag.

At sa sining naman ng pintura ay natatangi ang pangalan ni Damian Domingo na ngayon ay siyang ipinalalagay na "Ama ng Sining ng Pagpinta."

Sa isip at puso ng Paring Jacinto Zamora na kasama ng mga paring Burgos at Gomez ay pinagpisan ang pagdakila sa pananampalatay at pagmamahal sa bayan, sa katotohanan ang lupang Maynila ay nadilig ng dugo ng martir.

Hindi lamang mga lalaki ang nagpamalas ng kabayanihan sa lungsod na ito kundi pati mga babae. Sa larangan ng kawanggawa at pagkamapagkukop ay namumukod ang katauhan ni Margarita Roxas ni Ayala.

Sa panitikan naman ay namayani ang makabayang manunulat na si Fernando Maria Guerrero na kinilala hindi lamang sa loob ng Pilipinas kundi sa ibang bansa man.

Ang isa sa mga luwalhati ng Maynila ay ang pagkakatatag dito ng makasaysayang Katipunan, ang Kataas-taasan, Kagalang-galang na Katipunan ng mga Anak ng Bayan. Ito ang binhi ng paghihimagsik. Si Emilio Jacinto na naging "Utak ng Katipunan" ay siyang kanang kamay ng Dakilang Plebeyo.

At sa talaan ng mga bayaning ito ang pinakadakila ay si Andres Bonifacio, ang "Ama ng Katipunan." Dahil kay Andres Bonifacio ay nagkaroon ng malaganap na himagsikan na siyang lumagot sa tanikala ng kaalipinan. Utang ng mga Pilipino ang kanilang tinatamasang kalayaan at kasarinlan sa magiting na pagmamalasakit at kabayanihan ni Andres Bonifacio.

Si Andres Bonifacio ang sagisag ng kabayanihan hindi nalupig ng karalitaan. Iniluwal sa Tundo noong ika-30 ng Nobyembre, 1863, si Andres Bonifacio, na maagang naulila sa kanyang mga magulang, ay siyang nagkukop sa kanyang mga kapatid sa pamamagitan ng paghahanap-buhay na mababa nguni't marangal. Sa gitna ng kanyang karalitaan ay nakuha niyang maturuan ang sarili sa pamamagitan ng pagbabasa ng iba't ibang aklat. Naging masigasig din siya sa larangan ng tanghalaan at itinatag niya at ng kanyang mga kasama ang kapisanang "Teatro Porvendir." Dahil dito'y naging dalubhasa siya sa Tagalog hanggang sa isalin niya sa Tagalog ang "Ultimo Adios" ni Rizal.

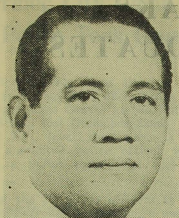
Dahil dito, akong si ANTONIO J. VILLEGAS, Alkalde ng lungsod ng Maynila, ay nagpapahayag sa araw na ito, ika-29 ng Nobyembre ng 1962 na si ANDRES BONIFACIO ay siyang BAYANI NG MAYNILA.

Bilang katibayan nito ay nilagdaan ko at ipinalakip ang tatak ng Sagisag ng lungsod ng Maynila. Ginawa sa lungsod ng Maynila, Nobyembre 29, 1962.

ANTONIO J. VILLEGAS  
Alkalde  
Lungsod ng Maynila



*Mayor Villegas adopts the Great Plebeian as Manila's own and paves the way for a Bonifacio centennial this year.*



President Diosdado Macapagal sets the norm for public service.

# ON PUBLIC SERVICE

By a Staff Member

President Macapagal takes occasion to exhort government officials

on desirable norms of conduct in the public service.

AT a conference of government officials called by the President at Malacañang on 8 November 1962, the following points were taken up.

1. The need to disseminate the objectives of the government for the benefit of our people not only in the higher echelons of commands but also in the lower echelons. Among others, such objectives are moral regeneration and the socio-economic program of the government.

2. The necessity of developing among employes in the public service the following fundamental characteristics:

- a. **Honesty.**—The President observes that while he is satisfied with the integrity of higher officials, there is still need of imbuing the lower categories of employes with this admirable characteristic.
- b. **Courtesy.**—He stressed that courtesy should be cultivated not only for general but also for its technical effect.
- c. **Speed of doing things.**—He wanted all cases disposed of expeditiously. He said that after

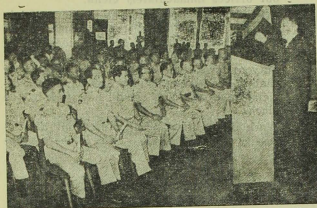
a decision has been made, there is no reason why implementing action should be delayed.

- d. **Firmness.**—He enjoined public officials to resist pressure. Without being discourteous, he said that we must do (what must be done) with firmness and justice.
- e. **Cleanliness.**—He said that government offices should hire janitorial services to keep our offices immaculately clean.
- f. **Attitude.**—He stressed that public officials and employes should not only consider employment as a means of livelihood. Employes should be imbued with a sense of duty and with no sense of time—meaning that in the accomplishment of a mission, officials and employes should not work by the clock.
- g. **Work like a team.**—He pointed out the necessity of working like a team in the govern-

ment service without rivalry, but not shielding officials and employes who are corrupt and undesirables.

- h. The President pleaded with every public official for help and cooperation. He suggested to Cabinet Secretaries the feasibility of holding similar conferences in order to bring home to our people the crusade of good government which he termed "Peaceful Revolution.
- 3. The President called attention to:
  - a. Malacañang Memorandum Cir #11 — re prompt action on official communication.
  - b. Malacañang Memorandum Cir #12 — Discouraging the holding of anniversary celebration.
  - c. Malacañang Memorandum Cir #15 — Submission of Administrative Investigation Reports.
  - d. Malacañang Memorandum Cir #14 — Avoidance of wastage in the consumption of electricity and water.

# SPEAKER SPEAKS TO POLICE GRADUATES



Speaker Villareal addressing the Police graduates.

I congratulate you on your graduation. It is no ordinary graduation. You have been graduated before, under different circumstances. This is something special.

You did not come here to learn the A.B.C.'s of police work. You were here to learn more about the work that you now do. As I have been made to understand, you took up police administration and operations. Not its rudiments, but the finer aspects involved in such difficult work.

For you therefore, this was a post-graduate course. That you are being graduated after six weeks means that you have successfully hurdled all the tests which were designed to measure your professional grasp of the problems and situations that occur in the discharge of your assigned duties.

Your coming to study here is an indication of your earnestness, of your desire to do a good job and of your thirst for knowledge that would enhance your efficiency and your effectiveness in the communities in which you live.

For this you deserve praise, not merely congratulations. By your willingness to learn, you have demonstrated an intellectual curiosity which is fundamental to growth and improvement in any line of work.

Police work is not something you learn once and feel that you know everything that pertains to it. It is a growing science; it is an art. As communities grow and expand, it becomes more complex.

Because of this explosion our sociological problems are increasing. And so the tasks of policing

our communities today are not nearly as simple as they were, for instance, twenty years ago, shortly after the end of World War II. Because there are more people, there is greater need for system and method, and for changes to suit new situations. Administration and operations have to keep up with the times, with the bigger population, with the increasing ingenuity of criminals and with the pressures brought about by increasing political and economic activity.

The problems of our Republic are many. Not the least important of these is peace and order. In fact, peace and order ranks high in the national priorities. That is why police budgets are increasing every year. Law enforcement organizations have to be strengthened and enlarged. We are no longer in the cart-and-carabao stage. We are in a highly mechanized era. We are in an atomic age. We are moving in jets and dashes.

To maintain peace and order in its maximum degree in the crowded cities and in the less populous towns is vital to our development. Lands cannot be tilled by citizens who are afraid for their safety. And products cannot be brought to the factories where they are needed if the freedom of the highways is not maintained.

Our police organizations must not be weak organizationally. Otherwise, they cannot guarantee safety of life, limb and property. That is why orientations, briefings and instruction such as has been your privilege to undergo are necessary. That is why we need more men like you who are willing to become better versed in the science of police work.

There is something else, too, that is important. I think it is pertinent to point out that it is vital to the national welfare that the public image of our law-enforcement agencies and their individual members be improved. It is in your hands to do this because you know what is proper and what is right. You who compose the leadership of your organization know that it is necessary to impress upon the people that the lawman is a friend and not someone to be feared or detested.

The people like it when they can point to their guardians of the law and say that they are the "finest." The traditions of our police agencies are

(Continued on page 54)

# Ormoc City Chief of Police Tops Class

36 police officers from all over the country graduated from the Class 62-A Police Administration and Operations Course at the Philippine Constabulary School last December 22nd. The first of its kind at HPC level, the course is designed to equip the municipal police officer with modern knowledge in police managerial and operational functions.

Topping the 36 police officers is Ormoc City Police Chief Sofronio D. Aguipo, a member of the Philippine Bar.

To the graduates, Acting PC Chief, Brig. Gen. Nicanor D. Garcia had this message!

## MESSAGE

*I wish to express my sincerest congratulations to the graduates of the Police Administration and Operations Course.*

*In these modern times the commission of crimes have become subtle and the criminal mind is continually seeking ingenious means to circumvent the law. Thus, it has come to pass that police work has become more difficult and more complex. It is for this reason, more than any other, that police agencies have sought to train and re-train their personnel in order to keep abreast of the modern and scientific means to combat crime.*

*Police work in a modern society must keep pace with the changing times. Old methods and techniques in police work must give way in order that the enforcement of law and the maintenance of order may be effective and the people to whom the policeman owes his existence and allegiance must efficiently be served.*

*Cognizant of these facts, the Philippine Constabulary, as a national police organization, must keep abreast of the new concept in police work. It is for this reason that the Police Administration and Operations Course has been offered by the PC in order that law enforcers, particularly in the executive level, may acquire modern knowledge in police managerial and operational functions.*

*I wish to point out that this is the first course of this kind in the country. And I am proud you have become the pioneers. But more so, I am elated that we have a crop of men who will contribute in a large measure towards police efficiency geared towards bringing complete peace throughout the country.*

**GOOD LUCK AND CARRY ON THE GOOD WORK!**

(Sgd.) NICANOR D. GARCIA  
Brigadier General, AFP  
Acting Chief of Constabulary

## CODE

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement.



Brig. Gen. Nicanor Garcia congratulates topnotcher Sofronio D. Aguipo of Class 62-A of the PC Police Administration and Operations Course.

ON behalf of the Filipino people and on my own as Commander-in-Chief of the Armed Forces, I proudly salute the Philippine Constabulary on the occasion of its 61st anniversary.

I have deep personal reasons for regarding the Constabulary with affection and respect. It is because of my full recognition of the services of the man in uniform that I approved, among other things pertaining to the reinvigoration of our armed forces, the raise in pay of the enlisted man and I am prepared to do more that is within the power of the administration to promote the welfare of the common man in uniform.

Sixty-one years of honorable soldiery in the cause of peace and order is a glory to any organization. But let us one and all reflect upon the thought that this imposes upon us the awesome responsibility of keeping that record untarnished, and let us remember that this good name of the Constabulary had been purchased by generations of constables by their unquestioning devotion, their indefatigable toil, their sweat and even their blood. Let anyone in this organization at this moment who feels that he cannot keep up this glorious tradition feel the weight of the responsibility, anyone who is cohering with smugglers, anyone who is abetting corruption, anyone who has allowed himself to be the prey of vice which he had sworn to fight, anyone who would disgrace the name of the organization leave

moral. I have vowed to place our beloved country on the road to moral regeneration, and I expect that this organization whom I love so well shall lead our people along that path to our national salvation. Any deviation from among you will be nothing short of treason.

It has been with great pleasure and pride that I have received continual reports of the achievements of the Constabulary in the administration's determined campaign to wipe out smuggling, corruption and vice. These reports have been pouring from all corners of our country. The Constabulary can be sure that our people are receiving news of these achievements with jubilation for they serve to demonstrate the fact that our country has, indeed, entered into a new era of dedicated public service and moral regeneration. It recalls those good old days when our people looked with respect at the merest constabulary private, when this clean and upright man in khaki and red was the hero worship of children, when any man in that uniform was the object of envy of his civilian friends. Those were the good old days and I am very glad that they are coming back with us to inspire our people with new hope for the future of a nation that was almost ruined by the graft and corruption of politicians of the recent past.

I am impressed, too, by Constabulary reports naming corrupt officials and politicians as well as

## LIVE AGAIN THE

*By Diosdado Macapagal,*

its ranks now, for the smallest speck of cancer in the body of the PC could very well foredoom the achievements purchased at so high a price in more than half a century of the glorious history of the Constabulary.

I trust that you all understand how I feel about the slightest tinge of dishonorable conduct in my administration. I have not spared my friends even in the cabinet from the strict requirement of official and personal conduct beyond suspicion. And I assure you that if there remains in my administration any public servant who besmirches that norm of honor, I would weed him out if that is the last thing I would do as President of the Philippines. This should give all of you in the Philippine Constabulary a definite idea of what your Commander-in-Chief would do to any constabularyman, whether private or general, who would act in a manner derogatory to the glorious traditions of the organization. The Constabulary is no place for weaklings, physical or

corrupting aliens as falling into the nationwide dragnet that has been scoring against smugglers and economic saboteurs. I want to tell each and every constabulary man that he has my full backing in this crusade, and that he can collar any man violating our laws regardless of whether he is a politician or claims to be an influential man. Spare no man in this crusade for every guilty one who falls will mean one scoundrel less in our struggle for our economic salvation.

We have already launched our five-year socio-economic program aimed at the upliftment and prosperity of our country and at good life for the common man. There is no turning back in this determined national effort which concerns the welfare of every man, woman, and child in our country and the just place of our Republic on the face of the earth. The Philippine Constabulary is already taking part in this effort and I have every reason to expect that it shall not fail.



## The Constable feels great and is inspired to a more commendable performance as the C-in-C felicitates the PC in a big way.

Not everyone appreciates the fact that security is a prerequisite for progress. No plan of economic development can hope to be implemented successfully if it does not rest on the premise of individual freedom from fear and anxiety.

If the Constabulary is to satisfactorily fulfill its role in this program, it must condition itself even as an instrument must be honed.

The first step in the conditioning process is to divorce itself from political influences. Perverted politics destroys every agency it taints, and when the very internal security agency of the State is tainted, the consequences may well be tragic. The Constabulary must never be made the private tool of any political individual or group, and I herewith pledge my office and all its powers as the buffer for any attempt to convert it into such from the lowest to the highest levels of command.

Indeed there is too much politics in this country. Since assuming the presidency, I have sought to lay aside politics, consecrating myself to the gi-

tor of progress and contentment. Acts of law violations of all magnitudes are like varying sizes of grains of sand which all threaten to stop the movement of the government's machinery, if not shatter critical parts of the machinery. At this time of our development, when we have just started to recover from the retardation caused by government inefficiency, and when we have just started to lay the foundations of a dynamic stage of national history, we cannot afford the delay of even one moment.

The final step in the Constabulary's conditioning should be the absorption by each and every Constable of this Republic's concept of civil rights. The right to life, liberty, prosperity and the pursuit of happiness is the fundamental tenet of our way of life.

Every government agency is dedicated to the enhancement thereof; in fact, it may be said that it is almost the total concern of government. To help the preservation of this right, certain citizens have been delegated the authority to use force if

# GOOD OLD DAYS

President of the Philippines

giant task of economic growth, together with moral regeneration. Many so-called leaders, however, seem to persist in dissipating the nation's time in endless politics that exults in irresponsible political intrigue and sensationalism at the expense of the Nation's good. I must say emphatically that these quarters cannot succeed in diverting our efforts from the crucial task of seeking prosperity for our people; together with dedicated agencies of our nation like the Constabulary, we shall proceed in the vigorous discharge of our duty, undeterred by those who would place politics above the true welfare of the country.

The second step in conditioning the Constabulary would be to impress upon everyone the importance of internal security. When a smuggler, or a Communist, or a grafter is caught, the significance of that event is not confined to the subsequent conviction or the tallying of another statistical entry. The true dimensions of its significance is that the country has eliminated one more compromising fac-

necessary. This is one of the most powerful authorities which our people can delegate. It can also be the most treacherous. I enjoin you therefore to act in the discharge of our noble mission with such combined firmness and kindness that you shall not be shunned in fear by our citizens but that your presence among our countryfolk will be welcome to them because you symbolize the benign authority of law and order, protection and helpfulness as the embodiment of the finest qualities of the Constabulary, the friend and not the foe of the people.

The Philippine Constabulary marks its 61st anniversary at a time when justice is the byword of government; justice meaning full reward or full punishment to the deserving no matter his place in the social or political scheme of the State. The Constabulary, the glorious Khaki and Red, has long demonstrated its stern affinity with justice. On this significant occasion, every citizen voices the prayer that this reputation shall always endure.

# EAVESDROPPING AND THE LAW

ANY evaluation of the facts brought out by this inquiry must be based on an understanding of present law and of the fundamental nature of the acts with which we deal. What is eavesdropping? What is the law on wiretapping? There has been much talk about the invasion of privacy through the secret recording of voices. What is the right of privacy, if it exists in this connection? Let us get down to the elements of the subject, before we deal with revelations of fact.

Man's first means of communication was his own voice. His first means of interception was the human ear. With these he got along for many thousands of years. Except for an occasional purloined letter, interception of communications was purely the work of the eavesdropper.

In old English law, the eavesdropper was rated a nuisance along with gypsies, idlers, the common scold, and the disorderly house. In Book IV, Chapter 13, of his Commentaries, the great 18th Century jurist, Blackstone, defined the offender thus:

"(6) Eavesdroppers, or such as listen under walls or windows or the eaves of a house to hearken after discourse, and thereupon to frame slanderous and mischievous tales, are a common nuisance and are punishable at the court-leet; or are indictable at the sessions, and punishable by finding sureties for their good behavior."

In today's Penal Law of New York State we find that section 721, under the title "Eavesdropping," classified as disorderly conduct, declares as follows:

"A person, who secretly loiters about a building, with intent to overhear discourse therein, and to repeat or publish the same to vex or annoy or injure others, is guilty of a misdemeanor."

This section is obviously an inept 19th Century attempt to modernize Blackstone. Lawyers recognize that this seemingly simple sentence contains so many elements of proof that it would be impossible to convict anyone under it. It has been a dead letter of the law, though we still recognize the principle as sound.

The invention of the telegraph in 1844 and of the telephone in 1876 ushered in a new era, the dawn of what might be called the Age of Communications. And in the 19th Century the Legislature was not laggard in acting. In 1845 it enacted a law pro-

tecting telegraph lines from damage—along with piers, abutments, buoys. In 1892 the Legislature amended this section (in what is now Article 134 of the Penal Law on Malicious Mischief, section 1423, subdivision 6) to make guilty of a felony any person who "shall unlawfully and wilfully cut, break, tap or make connection with any telegraph or telephone line, wire, cable, or instrument, or read or copy in any unauthorized manner any message, communication or report passing over it, in this state."

This passage of 1892 law, unchanged and still classified along with damage to water mains and sewer pipes, remains our State's basic law on private wiretapping today. Plainly the Legislature then had the telegraph more in mind than the telephone, and protection of property as much in mind as protection of privacy. At any rate, this was the germ of our present concern with interception of communications.

Two other sections of law later gave strength to the concept of privacy. Section 552 of the Penal Law, dating to 1881, makes it a crime to obtain knowledge of a message by connivance with a telephone or telegraph employee. In 1949 section 552-a was added, making it a crime to possess any wiretapping device in circumstances evincing an intent to use it illegally. In signing this act, Governor Dewey expressed some doubt as to the legal necessity for it, but welcomed it as a declaration of policy against private wiretapping.

Together, these three sections constitute the statute law of the State on interception of communications. Notably they are limited to the telegraph and telephone. Nowhere in the law do we find any recognition of the interception of conversations by such newer means as microphones and tape recorders.

The most interesting fact about the wiretapping law is that until the sensational Broady case in 1955, it has never been effectively enforced. Years ago in an upstate county a bookmaker pleaded guilty of wiretapping in order to avoid prosecution for other offenses. Thirty years ago, we find, the Court of Appeals affirmed the conviction of one Anthony Senes, found guilty in New York County of violating section 1423, subdivision 6, and sentenced to serve from one to two years. Senes was a private detective, caught tapping the wire of one of two business concerns engaged in litigation. And that, except for three abortive attempts at prosecution in 1949,

*Reprint from "Report of the New York State Joint Legislative Committee to study illegal interception of Communications."*

is the entire record of law enforcement against private wiretapping in New York State prior to 1955.

Certain reasons for the scarcity of prosecutions are quite apparent. First, there have been very few complaints. The act of wiretapping is itself secret; the victim probably never learns of it unless the tapper has obtained information which the victim would prefer to conceal. The whole subject has overtones of blackmail, and it is often more discreet to accept a divorce in Reno than to have a scandal in New York. Furthermore, the discovery of a wiretap, or "unauthorized connection," is ordinarily made by an agent of the New York Telephone Company itself, and the telephone company has never been known to press a criminal complaint against a wiretapper. The company has agents to go after coin box thieves, but as to wiretapping, it insists its men are not policemen. The company strongly expresses its opposition to all wire tapping, but even more, it appears to deplore all publicity connected therewith.

But in the year 1949 there were three attempts in New York City to prosecute wiretappers, all most significant in the development of the law. Early in the year, wiretappers were caught trying to tap the telephone of the Borough President of Manhattan. In the course of this incident a well-known former police wiretapper added to the public uproar by escaping from custody through the ladies' room window at City Hall, where he had been questioned by the Mayor himself. Prosecution failed in this case because the raid was made before the wiretap had been physically connected. As a result the Legislature quickly enacted the new section 552-a of the Penal Law, putting possession of wiretapping devices in the same category as possession of burglar's tools.

Also in New York County in 1949 there was a prosecution for wiretapping in a case involving the phones of the Kings County Buick Company. This resulted in an acquittal because directors of the company had authorized the tap to check on the inordinate number of new cars which were said to have been allotted to gangsters. In this case and in the preceding investigation a central figure was the same lawyer, Broady, who figures in the 1955 prosecution. He was already notorious as a wiretapper.

More important than these cases was the Appelbaum case in 1949, which became the controlling wiretapping case among the reported decisions of our appellate courts. (See Appendix A.) This is the only court decision interpreting our State law on wiretapping. It is under this controlling interpretation that wiretappers operate openly and claim that they are within the law.

In this case a Mr. Appelbaum of Brooklyn sued for divorce. His evidence was partly based on recorded taps made on his own home telephone, made by Robert C. LaBorde, a well-known electronics technician and wiretapper. The trial justice in this case sent the record to the Kings County District Attorney, and his office obtained convictions for wiretapping against Appelbaum and LaBorde under section 1423. These convictions were reversed by the Appellate Division of the Supreme Court, Second Department, which dismissed the indictments. The decision was affirmed by the Court of Appeals and the defendants went free.

The Appelbaum decision held that the telephone subscriber has a paramount right to protect his telephone from use by other people against his interests, personal, household, or marital, and therefore Mr. Appelbaum had a right to have his own wire tapped—a right superior to the privacy rights of those he permitted to use his phone.

This Appelbaum case, which is in effect the present law, is the key to the practice of private wiretapping in this State. Under it wiretapping specialists have openly offered their services. They represent their activities to be entirely legal, though in a number of instances we have shown such wiretap incidents to be clearly felonious. In other instances it is almost impossible to determine just who is the subscriber who is entitled to tap his own telephone. Under this decision as it stands, the situation is thoroughly confused. But it is clear that the wiretappers will continue to regard it as a license to operate. Legislation is certainly indicated, and we shall have more to say on this subject.

The foregoing summarizes the present law of New York State insofar as it concerns private eavesdropping, but this discussion would not be complete without reference to certain widespread misconceptions of the law which continually arise to plague our thinking on this subject.

One of these is the status of wiretapping under the constitutional amendment adopted by the Constitutional Convention of 1938 and ratified by the people. This part of the Bill of Rights is commonly thought to declare the policy of the State on wiretapping generally, but it actually has nothing to do with the crime of wiretapping by private persons. It relates solely to protection of the people from the State and law enforcement officers.

Early in the days of the telephone the New York City police began wiretapping for the detection of crime. The practice seems to have been well established by the turn of the century, though never formally sanctioned by statute or constitutional law. During prohibition both Federal and local officers used wiretapping very extensively to combat the growing power of the underworld, and by the 1930's the practice had aroused strong opposition among those who claimed it violated civil liberties. In the Constitutional Convention of 1938 an attempt was made to outlaw wiretapping, but was so strongly opposed by law enforcement officers that the opposite result was obtained. In the amendment adopted,

*(Continued on page 55)*

# PHILIPPINE TOWN SURVEYS

(See pages 48-49 for pictures)

With this issue we start a new series of informational articles on Philippine Municipalities. **Know your town and let others know about it** could very well be a social, economic and cultural message for 1963. Certainly, it has a valid place in the implementation of President Macapagal's 5-year socio-economic program.

The "KHAKI and RED" takes pride in starting a Philippines "first" in advertising trends. Mindful of its role as the official journal and general magazine of the Philippine Constabulary it is happy to contribute what little it can in giving substance to one of the strongest ideals that guides our Armed

Forces—that of civilian supremacy—by letting the Constabulary trooper know more about the province and municipalities he serves. By the same token it is hoped that through this effort, the people may know more about their soldiers. Little need be said about the trade and industry potential of this undertaking save perhaps a reminder about the role of the honest middleman who makes people with divergent needs meet. **HELP US KNOW MORE ABOUT OUR COUNTRY. INVEST IN SECURITY. ADVERTISE IN THE KHAKI AND RED.**

The Editor

## MAGSINGAL

**T**HE people of Magsingal, like the good Ilocano stock that they are, are fanatically devoted to the land. It is a rugged, rock-strewn land, painfully pinched between the mountains and the sea, and mercilessly flayed by severe suns and monsoons. It is against these austere elements of earth and sky that they have to pit their frail and all too human strength, but fortified by tenacity of purpose, initiative and endurance, they have been able to carve out their destiny.

So each generation has been able to leave the imprint of industrious hands on the niggardly land, as even the hardest rock is worn away by patient toil. Everywhere in the land, therefore, one can see indubitable signs of progress and modern living.

But even as all the people themselves must be accorded recognition for the progress that the community has made, due credit should be given also to the town officials who have provided the vision, the urge and the patient and devoted leadership so that the welfare of the greatest number should be brought about. It is true that economic development is principally a task of private enterprise; but it is the role of the government to create a favorable environment that would provide the inducements necessary, in terms of suitable policies and measures needed, to foster economic growth and stability. It is also the avowed aim of a wise administration to ensure the judicious application of public investment programs to the establishment of basic facilities such as roads and irrigation systems, transportation and communication networks,

harbor facilities, hydroelectric power if possible, and the development of land, forest and whatever local minerals there are. Another primary objective is the improvement and expansion of essential public services designed to raise the general living standards of the people. These public services include education, housing and public health.

The following are some of the accomplishments of the present administration and as can be seen, they might appear modest in comparison to more grandiose projects undertaken and completed by more thickly populated and richer towns, but the frugal and hard-working people of Magsingal are proud of them just the same.

### Irrigation (total — P7,500)

1. Maratudo Dam — PACD
2. Alatao Dam — PACD
3. Dacotan Dam — PACD
4. Bocar Dam — PACD
5. Barbarit Dam — PACD

### Puericulture Centers

1. Poblacion — P12,000
2. Barrio Pagsanaan — P5,000
3. Barrio Puro — P700
4. Barrio Miramar — P1,000
5. Barrio Tagaiapos — P5,000

### Road construction:

- Barrio roads and feeder roads — P22,000  
Poblacion-Napo — P5,000  
Poblacion-Tagaiapos bridge — P20,000  
Bungro-Pagsanaan-Sarsarakot Road — P15,000  
Caraisan-Makat-Katud-Maratudo — P5,000

# SAN VICENTE **BADOC**

**SAN VICENTE** is a small town, with a population of only 7,049 according to the latest census figures. Its chief industries are farming, salt and furniture making. Its chief products are salt, rice, furniture and tobacco. Fishing is another source of income for its people.

Fermin P. Tabanda is the Municipal Mayor. Other officials are: Melchor Rojas, Vice Mayor; Angel Ramos, Pascual Rosuman, Alfredo Riotoc, Emiliano Rialubin, Julian Rosal, Uldarico Riberal, members of the Municipal Council. Municipal Treasurer Isabelo L. Cariaga, Chief of Police Samson Castillo and Municipal Secretary Natividad L. Tadena are other key officials of the town.

Still, much smaller towns have gained a certain amount of fame because they happen to be the birthplace of a national hero, the scene of some historic encounter, or they have been able to accomplish some gradiose projects more readily due to their being wealthy in the matter of mineral resources or of commerce. The people of San Vicente quietly admit and candidly enough, however, that they have not much to crow about really. Even their projects being undertaken or those being planned are modest enough: Improvement of school buildings, river control and improvement of bridges.

Furthermore, where other towns gain notoriety because they happen to be the scene of sensational crimes, the people of San Vicente, rightfully enough, prefer not to hit the front pages of newspapers provided though that they can continue to say that: For one thing, there is peace and order in their beloved town.

Caraisan-Likkaong — P2,000

Poblacion-Pagsanaan-Miramar — P20,000

Poblacion-Liblong-Arinaya — P2,000

Artesian Wells (total — P22,000)

Puro, Panay, Mansante, Cabarruan, Pagsanaan, Miramar, Barbarit, Namsangan, Makatkatud, Tagapipos, and Napo.

**Schools** — Five pre-fab buildings in Mansante (2); Sarsarakat (2); and Maratudo (1).

**Multiple-purpose Pavement Pagsanaan (P800)**

Other projects — Already approved for construction in Malablabtang, Sabat, Madangdangla, Simmagumay and Subsubusub.

The officials of the town are Miguel Udarbe, Mayor; Estanislao Pascua, Vice Mayor; Filomeno Uclaray, Constancio Ugale, Mariano Tobon, Guillermo Ponce, Socorro Garcia, Maria Tolentino, Eufemio Sabado, and Manuel Pascua, Members of the Municipal Council.

Other key officials are Valeriano Palpallatoc, Treasurer; Mrs. Nena Corpuz Soliven, Municipal Secretary; and Prospero Ujano, Chief of Police.

**ONE** place of interest that the people of Badoc proudly point out to anyone visiting their town is a humble house in the poblacion. It is the birthplace of the well-known Filipino artist, Juan Luna y Novicio (1857-1899).

Beautiful Badoc island is also a tourist attraction.

Equally worthy of the pride of the people of Badoc are the solid accomplishments of the present municipal administration headed by Mayor Angel T. Bautista. Other officials are Gregorio R. Rodriguez, vice mayor; Bernardo R. Torralba, Antonio Batara, Romualdo Baldos, Severo Marquez, Juan Cajigal, Francisco Garcia, Urbano Tolentino and Justiniano Vergara, members of the municipal council. Other key officials are: Luis L. Calaycay, Emeterio Nicolas, Vicente R. Campos and Generosa Rotesta.

Some of these accomplishments are:

- 1) Asphaltting of the provincial roads within the poblacion.
- 2) Reopening of the Badoc Waterworks System.
- 3) Renovation of the public theater.
- 4) Construction of the lagoon at the eastern portion of the public square.
- 5) Construction of the Coronation Stage and improvement of the public auditorium.
- 6) Improvement of feeder roads and construction of the "circumferential feeder road" (Poblacion — Arcarusip-Nagrebcan-Labut-Sorod-Sta. Cruz-Paguatpat-Pagsanaan feeder road).
- 7) Construction of three health centers: a) Napu-Mabusay-Paane-Parang health center; b) Ararusip health center; and c) Madupay health center.
- 8) Construction of artesian wells in Bolboldes, Lubub and Ararusip.
- 9) Pre-fabricated schools in Mabusag, Paliet and Pagsanaan.
- 10) Improvement and reconstruction of communal irrigation systems in Nagrebcan, Madupayas, Ballawes, Malcampo, Napu, Banas, Caoilian, Mabusag and Balaybaboy.
- 11) Increase in municipal income in the amount of P20,000 more or less.
- 12) Maintenance of peace and order.
- 13) Internal repair and beautification of the **Presidencia**, with the session hall and all the different rooms furnished with tables, chairs and other furniture.

LET'S KNOW MORE ABOUT YOUR TOWN THROUGH THIS

**SPECIAL FEATURE**  
OF  
**KHAKI and RED**

# CABUGAO

THERE are not a few people of Cabugao who aver that once in while they hear ghostly hoofbeats echoing in the deserted streets of the town at night. There are even some who claim they have seen the ghostly horse as well as its ghostly rider, a beautiful young woman who looks like an angered goddess. People of Cabugao think it is none other than the valorous Maria Josefa Gabriela, wife of Diego Silang.

Many stirring things have happened in Cabugao, but none as stirring as when the heroic Maria Josefa Gabriela rode into Cabugao to enlist the aid of the inhabitants in her revolt against Spanish despotism. Her husband, Diego Silang, had only shortly before been felled by an assassin's bullet, but the extraordinary woman that she was, she vowed to continue the fight even if the odds had become almost insuperable with the untimely death of Silang. The people of Cabugao rallied to her side.

That was nearly two hundred years ago and in comparison, the happenings of the present might appear humdrum, even insignificant. But it is not so. The enemies that the people of Cabugao, as well as that of the whole country, have to contend with — hunger, poverty, unemployment, and other social and economic ills — are as insidious and deadly as the arrogance and tyranny our people suffered in the hands of our foreign conquerors.

Thus there is no call at all to belittle the accomplishments of the dedicated men who hold the reins of local government however modest these accomplishments might appear to be. Some of these projects, already finished or on their way to being completed are the following:

- 1) Construction of two big market buildings
- 2) Asphalting of municipal roads in the poblacion

- 3) EEA road building program from Bato to Benang to Cail-layan to Maradodon (P43,000)
- 4) Improvement of public plaza, including the construction of two stages and an auditorium
- 5) Release of P77,500 for construction of communal irrigation dam
- 6) Improvement of waterworks system, with the acquisition of 2-1/2 kilometers long of 4-inch pipes
- 7) PACD irrigation projects
  - a) Reppaac communal irrigation system
  - b) Cael-layan communal irrigation system
  - c) Maradodon communal irrigation system.
  - d) Cuantacla communal irrigation system
- 8) PACD multi-purpose pavements
  - a) Sagayaden
  - b) Pila
  - c) Turod
  - d) Salomague
  - e) Dadapan Sur
  - f) Sabang
  - g) Namuangan
  - h) Nagsantaan
  - i) Maradodon
  - j) Camsipan
  - k) Cuantacla
  - l) Dardarat
- 9) PACD fishing nets
  - a) Namuangan
  - b) Pugas
- 10) Five artesian wells

Program for further improvements:

- 1) Construction of new municipal building
- 2) Construction of more feeder roads
- 3) Improvement of school buildings and grounds

# PIDDIG

THE people of Piddig illustrates well the fine traits for which Ilocanos are noted — they are thrifty, industrious and sturdy. Agriculture is their chief industry and they produce rice, corn and tobacco. But like many another town in the region, agriculture alone cannot support its population. So the people have turned to home industries like weaving, livestock raising, basi manufacturing and other handicrafts. These home industries have been so well developed that even if Piddig were a relatively small town (latest census figures place the population at a little over 11,000), it can claim some modest progress in the past several years.

For example, some of the accomplishments of the present administration are:

**Irrigation:** Completion of Bola, Salpad, Sta.

Maria and Marwaya Dams.

**Puericulture Centers** in the Poblacion, Lagan-dit, Maababaca and Tonggawan.

**Road Construction:** Sta. Maria Road, Callosa-Estancia Road, Babay barrio road and the rirap-rapping of Garcia and Velasquez streets.

**Artesian wells:** Lagandit Bo. #11; Gayomot Bo. #6; Barrio Vera and Barrio Sta. Maria.

**School buildings:** Four Pre-fabs in Bo. Calambeg, Estancia, Baybay and Tonaton.

**Completion of the public market costing P2,500.00.**

**The town officials are:** Atty. Emeterio T. Balguna, mayor; Emilio F. Asis, vice mayor; Atty. Aproniano B. Nicolas, Samuel Tomas, Atty. Vicente B. Agustin, Noel Estabillo, Regino Santos and Galo Bautista, members of the municipal council.

# SAN ESTEBAN

**M**ANY a time one is stricken with something like awe at the aptness of some old saying that seems to have lost much of its brilliance or vitality. Certainly one might very well be misled into believing that the town of San Esteban can be easily dismissed as something altogether insignificant or not worth telling about at all. For a fact, it is a very small town, with a population of only a little more than four thousand. Indeed, there are many barrios in the country which can boast of a bigger population.

But as the old saying goes, the least is not always the last. And to prove it, San Esteban can claim to the distinction of having the highest literacy rate in the whole province of Ilocos Sur, as per the 1960 census. Besides this, San Esteban is also attracting attention as a very fast-progressing town.

Progress has really been greatly accelerated during the administration of the incumbent mayor, Dr. Samuel E. Orpilla. Now in his second term, he is ably assisted by the following town officials: Sebastian Cadacio, Vice Mayor; Francisco Edralin, Teofilo Ebojo, Ernesto Estrala, Filomeno Eleccion, Eleuterio Europa and Gregorio Corpuz, Municipal Councilors. Other key officials are Godofredo M. Vergara, Municipal Secretary; Eusebio E. Agustin, Municipal Treasurer; and Jacinto Casimiro, Chief of Police.

The following are some of the highlights in the progress of the town since 1956:

**Irrigation:** Communal irrigation dams in Cabaroan, Ansad, Pangnagpuan, Cappa-cappa and Anonang.

**Puericulture and Health Centers:** Barrio San Rafael Sweepstakes Community and Health Center, Barrio Ansad Sweepstakes Community Health Center, Tamurong Rural Health Center in Barrio Bateria, and Barrio Apatot Rural Health Center.

**Roads and Bridges Constructed:** Bailey bridge linking Barrio San Pablo to Barrios Bateria and Apatot; reconstruction and improvement of the San Pablo-Bateria-Apatot road; widening and improvement of the following roads; Poblacion-Ansad-Cabaroan Feeder road, San Rafael-Cappa-cappa-Beng-

ügang road, San Nicolas-Apatot Barrio road, Cabaroan-Mandulon Barrio road; filling and improvement of all municipal streets and culverts; improvement of the Bigbiga barrio road; construction of the Cappa-cappa, Cabaroan bridge and Mandulon bridge.

Artesian wells drilled at Barrios Cabaroan, Mandulon, Ansad, Cappa-cappa, San Nicolas, Poblacion East, Poblacion Wests, San Rafael, Biga-big, Sabañgan and Tamurong. Soon to be drilled are at San Pablo South Central School, Southwest Poblacion, etc.

**Schools:** 1) Construction of a duplex pre-fabricated schoolhouse, a Home Economics building, a shop building and the repair and improvement of the Ansad Barrio School; 2) Construction of an H. E. Building, a duplex pre-fabricated schoolhouse and an additional room to the main building of the Ansad Community School; 3) Repair and improvement of the South and North Central School buildings including the Shop building.

**Other construction projects underway:** A new P50,000 municipal building; a P15,000 public market; a P4,000 library-youth center; a P5,000 concrete public stage; fencing and improvement of the public plaza; opening and establishment of a municipal library and the construction of a public toilet.

**Projects to be undertaken:** 1) Construction of waiting sheds and other barrio projects; 2) Purchase of athletic equipment and park paraphernalia as a measure to minimize juvenile delinquency; 3) Formation of a municipal band, with musical instruments donated by civic-spirited townmates in the United States.

Also underway is the construction of a multi-purpose pavement at Barrio San Pablo and a spring development project under the GIA and PACD at Barrio San Nicolas.

In the cultural field, the administration has reorganized the San Esteban Telstar Rondalla and guided it to become the "Champion" in the province. The local administration has also initiated the yearly citations of five outstanding citizens of San Esteban as a means of awakening the interest of the youth to live up to the expectations of their parents and the community.

TURN TO PAGE 42 FOR MORE ON TOWN SURVEYS

By Daniel P. ...

PIO, HF

**E**ARLY this month, a state of emergency hovered over the nation. Aggressor forces, believed to have come from a neighboring Asian country, paraded somewhere in Central Luzon, and began to advance steadily to the nation's capital. The Philippine Constabulary, given the mission to stop the advance, continued to hurl government troops to contain the enemy but to no avail.

At the same time, dissident forces massed and started to assault government installations. Agitators and rabble-rousers, believed led by enemy officers, undertook an insidious propaganda campaign to discredit the government and incite the people to rise against the constituted authorities. Enemy saboteurs went on a rampage in several business centers of the country; oil refineries and agricultural fields were set on fire by arsonists; enemy jet planes bombed and strafed Philippine and U.S. air bases; and enemy submarines were sighted in Philippine waters and were reported to have landed arms, ammunition and supplies to enemy forces. The threat to the nation's security was mounting. The enemy continued to advance; the situation was hopeless. Because of this threat, the government transferred its seat to Laguna. The Philippine Constabulary headquarters moved to Batangas where it expected to make a last stand against the enemy.

This imagined situation ended CPX "SUBOK," the five-day simulated exercise of the Philippine Constabulary to test its efficiency in a national emergency. This command post exercise, which began Dec. 10 and ended Dec. 15, was designed "to weld each staff into an effective team, develop coordination between staffs, and train the staffs to function smoothly and efficiently under a national emergency." CPX "SUBOK" did not involve physical movements of troops, which were all on paper. It was the first exercise of its kind conducted by a major command, to test constabulary efficiency in keeping order in the rear areas including anti-sabotage and anti-insurgency operations. All the time during the duration of the exercise, business went on as usual in Camp Crame.

Exercise Director was Brig. Gen. Nicanor D. Garcia, then acting chief of constabulary, and the participants were all PC general and special staffs. The general staff is composed of Col. Ciceron dela Cruz, PC personnel chief; Col. Luis Villareal, PC intelligence chief; Col. Faustino Sebastian, operations chief; Lt. Col. Pedro Javier, logistics chief; and Lt. Col. Joel Santos, PC comptroller.

Col. Avelino Saucó, PC school Commandant, was designated Chief Umpire in the exercise, while Col. Angel Legaspi, deputy chief of constabulary, was designated "SUBOK" commander with Col. Lucas V. Cauton, PC chief of staff, as his deputy. Other officers assigned to the exercise were: Lt. Col. Patricio Buyson, "SUBOK" intelligence chief; Maj. Paciencia Magtibay, operations chief; Major

Floro Henson, Logistics chief, and Maj. Juan Maniquis, as "SUBOK" comptroller.

Brig. Gen. Ricardo G. Papa, deputy AFP chief of staff, Brig. Gen. Rigoberto Atienza, IV PCZ Commander, and Brig. Gen. Ismael Lapuz, I PCZ Commander, led observers from other major services and AFP general headquarters. They included: Col. Napoleon Manganon, army; Col. Pedro Baban, I.T. Col. Horacio Reyes and Lt. Col. Guillermo Garcia, air force; Capt. Abraham Campo, Cmdr. Victor Jose, Comdr. Leovigildo Gantioqui, Cmdr. Hilario Ruiz and Lt. Comdr. Celestino Loria, navy, Capt. Cesar Miel, AFP personnel division; Col. Blas Alejandro and Lt. Col. Mario Kimseng, AFP intelligence division; Col. David Palayo and Lt. Col. Gonzalo Batad, AFP operations division; Lt. Col. Marcos Garcia, Lt. Col. Cesar Flor, Lt. Col. Ricardo Almachar and Lt. Col. Pedro Ramos, AFP logistics division; I.T. Col. Emilio Zerrudo and Lt. Col. Jose del Castillo, AFP comptroller division. Lt. Col. Richard Lehman, PC JUSMAG advisor, was also an observer in the exercise.

At 0900H December 10, an orientation was held to acquaint the participants with the objective of the exercise and to clarify administrative instructions. The orientation was attended by the Director, Umpire and Support Groups. Forthwith, at 1300H that same day, the PC headquarters in Camp Crame went on "Red Alert," a condition of combat alertness, which was not lifted until the termination of the simulated exercise. Passes were cancelled, and men on leave and furlough were recalled. All slept in Camp Crame from start to finish of the supposed long fight.

While CPX "SUBOK" was merely theoretical, it was developed from actual world conditions and

The simulated exercise is a  
efficiency in times of na



# SUBOK''

el P. Azcarate

10, HPC

applied to a situation where there was a probability of its taking place. With the world situation as it is, these theoretical events might happen. One never knows.

Like all military exercises, CPX "SUBOK" used code names. The development of the exercise was based on a crisis between two world powers threatening to knock each other off over a lesser country which had set up missile bases poised at the security of one world power. In a determined bid to protect her interests, the threatened one forces the issue and the small nation is forced to dismantle its missile sites. This world power then sets up a close watch over developments. Meantime, another country with expansionist ambition, launches an offensive against small nations in the Far East. This aggressor country intends to encroach upon all the small nations, including the Philippines. Thus, the stage was set for CPX "SUBOK."

Simulated situations piled upon one after another as the exercise progressed hour-by-hour, day-by-day. For all intents and purposes, it was the real "McCoy." Reports of intensified insurgent and subversive activities in the country kept coming in. The enemy was infiltrating government as well as civic, student, youth and labor organizations, and causing the spiralling of prime commodity prices. A familiar pattern came out: these were attempts of the enemy to destroy the economy of the country, panic the people and throw the government machinery into chaos.

With peace and order conditions deteriorating, the PC placed all local police forces under PC control and mobilized its troops. In one theoretical situation, Col. Legaspi as "SUBOK" commander, threw three battalions of government troops against

an enemy regiment reported to have paraded somewhere between San Fernando and Angeles, Pampanga. The PC drew its reinforcements from the 1st Infantry Division. All these, of course, occurred only on paper.

CPX "SUBOK" was complete in itself. Directives and orders were issued as if they were real. March orders, war maps, traffic diagrams for vehicular movements, reorganization of PC units, requests for funds, gasoline, supplies and materials were made. The orders also included evacuation of patients, and refugees; commandeering of civilian vehicles for transport; issuance of five-month salaries to PC troops; release of civilian personnel from work; and induction into the service of needed personnel. Spot promotions for gallantry in action and awards or decorations were also provided for in the exercise. It involved all the necessary activities and all elements existent during war-time.

A critique on CPX "SUBOK" was held on Dec. 15. Umpires assigned to each office in Camp Crame were required to submit reports on the reactions and activities of the different offices to which they were assigned in connection with the exercise. Observers from other major commands were also allowed to comment. At the orientation briefing before the actual start of the exercise, Col. Sebastian pointed out that it would be better for the staffs to commit mistakes during the exercise and know about them so that they may learn from these mistakes and be better prepared in case of a real emergency.

It will be recalled that at the outbreak of the Second World War, the country's armed forces were totally unprepared. CPX "SUBOK," with all the possible war-time situations, is to train the PC to cope with any contingency of this nature. It also attempts to weld the PC general and special staffs into an efficient executive group. The exercise tests how efficient and effective the constabulary can function under a national emergency of this nature.

Based on the critique, CPX "SUBOK" was considered a success by PC authorities. This conclusion was the result of an analysis of the strong and weak points noted in every participating office. Constabulary planners pointed out after the exercise that the Command could take care of itself, cope with emergency situations, and be able to secure rear areas in case of a real emergency. They stressed that the PC was now ready for any eventuality. If at all, CPX "SUBOK" assured the people that if present world conditions changed from bad to worse, the Philippine Constabulary would be more in a position to help them and secure their safety. It is the consensus that, unlike during the last World War, the PC, as any other armed services, would not be caught "with its pants down," disregarding an aerial atomic attack, of course.

is a test of Constabulary  
of national emergency.

## Road Safety . . .

(Continued from page 8)

which concern our peace-time or emergency economic planners and logisticians. One thing to remember, though, is that plans are made for the purpose of improving the overall economy and the sociological and political conditions of the country.

### THE LOGISTIANS' ROLE IN TRAFFIC PLANNING

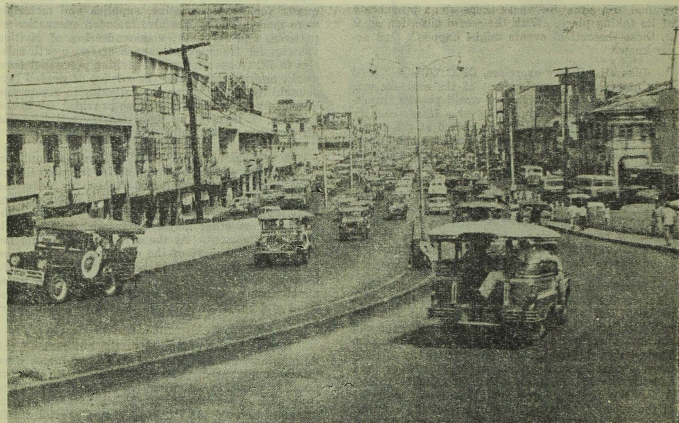
This includes certain aspects of industrial and economic requirements related to furnishing supplies and services. Logistical planning is also one of the bases for the many successful operations of government agencies, such as the Department of

This does not mean, however, that we should make streets one-way to attain maximum efficiency. This is not only impractical but impossible to attain in many instances. A well prepared plan will, however, enable the maximum and safe utilization of such roads.

One must remember that when the possible capacity of highways has been reached, the result is a high degree of restraint on every driver or motorist, particularly under conditions that are wholly intolerable, such as often occur during rush hours or in emergencies.

### FACTORS AFFECTING ROAD CAPACITY

Each type of road has the so-called "practical working capacity." It is the maximum volume that



Each type of road has the so-called "practical working capacity"

National Defense, the Department of Commerce and Industry, Department of Labor, National Civil Defense Administration, Civil Aeronautics Administration, the Department of Public Works and Communications, etc. In time of emergency there is usually an increased demand for supplies and services, therefore a system of priority and allocation is inherently necessary for a fairly equitable allocation of supplies and facilities. Implementing and limiting orders and regulations are made ahead of time, and their proper or propitious institution is essential to successful operations.

Take the problems of vehicular traffic flow. To attain the highest flow of traffic, the highways by necessity must be regarded as a "one-way street." In ancient times, the Romans used the "one way streets" and special off-street parking facilities for chariots, which were located on off-travelled places.

will permit a reasonable degree of freedom from congestion. Traffic engineers in countries with high degree of motor and traffic development are agreed that the greatest capacity volume is obtainable at uniform speeds of about 30 miles per hour (M.P.H.). The operations of traffic based on a speed of 30 m.p.h. and on a scale of 100 vehicles to a mile, should therefore be a good figure in computing the road capacity required in mass movement of vehicles. This is a practical aid among traffic police officers in routing traffic flow to avoid confusion or congestion during rush hours in usually heavy traffic movements, or in an emergency.

Experience gained by the U.S. Highway research committee on highway capacity indicates that "on a two-lane (lane-width of 12 ft.) each unidirectional highway where traffic flow is uninterrupted, a volume of 1,500 vehicles per lane per hour

is practical." This is at an average speed of 30 miles per hour.

Probably, the Traffic Control Center (TRAFCON) of the Philippine Constabulary is one of the agencies in the Philippines today which is in a position to undertake planning for an orderly vehicular movement in case of emergency on an inter-precinct, city or nationwide basis. Traffic planning, however, should be made in coordination with civil defense, local police forces, and other agencies of the government concerned.

During evacuation, problems involving the heavy use of motor vehicles which most likely, will occur in large urban areas such as the Manila area, Cebu City, Davao, etc., the use of certain routes

Time in minutes to pass a point equals the number of vehicles times 60 (running time) divided by average speed of vehicles (Miles in Hours) times number of vehicles to the mile (vtm).

Allowance for "human error" for large movements may be fixed at 25 percent of the number of minutes to pass a point. The above formula may be used as a guide but actual conditions should be studied and plans should be so made as to suit the different and changing conditions.

Other factors that tend to reduce practical capacity are restricted lateral clearances, narrow shoulders, vertical constructions, bridge trusses, and parked vehicles on road sides which reduce the effective width of a traffic lane. It is to be conceded



*There should be a practical aid among traffic police in routing traffic flows to avoid congestion and confusion during rush hours.*

should be pre-determined. It will probably be necessary that certain routes will have to be used by more than one group of people, in which cases, "block timing" would be essential. By "block time" is meant the use of certain group of vehicles at certain fixed clock times which must ensure that all vehicles of each group are cleared of those roads within the time allowed. This will necessitate establishing control points. The time taken by a group of vehicles to pass a point governs the amount of time for which any stretch of road must be allotted. This is important in organizing any large scale movements, and is particularly essential when it involves civilian motorists who, as individuals, are not ordinarily organized.

As a further guide, the following is a simple formula for calculating the time to pass a given point taken by a group of vehicles:

that lane width and lateral clearance also affect driving comfort, speed, safety and accident rate.

Narrow shoulders reduce the effective width of a traffic lane by the natural tendency of drivers to travel nearer the center of the pavement. For this reason traffic officers should exert efforts to reduce such hazards. When vehicles are disabled, the greatest detrimental effort on the capacity results, especially where disabled vehicles are not immediately cleared off the traffic lane; and this happens frequently in our highways. Right now, disabled vehicles left in the center of the roads are the greatest cause of traffic jams in Manila and on many highways. Police forces or highway traffic agencies should provide tow-vehicles to remove disabled vehicles from the travel portion of the roads. Towing can be done at the expense of owners of

*(Continued on page 36)*



*It will be observed that the tempo in the implementation of the Socio-Economic Program has increased recently, including the building of more roads.*

#### **Road Safety . . . .**

*(Continued from page 36)*

disabled vehicles, as what they do in the U.S., Canada and other countries. Owners of towed vehicles are charged certain amounts depending on distance, place and kind of vehicle towed to cover administrative and operating cost.

Similarly, government vehicle inspection should be tightened to reduce, if not altogether remove from the public highways, dangerous and non-road-worthy vehicles which are the greatest cause of danger to human lives, of traffic jams, and of unnecessary national expenditure, in terms of maintenance and operating cost.

Some factors responsible for such situations are the attitudes of operators, indifference of some traffic enforcing officer, poor attitude of the general public, and, most important, the poor maintenance program and replacement policies of both the private and government sectors.

A well planned preventive maintenance program assures continuity of service with minimum "down time" caused by mechanical failures. It also promotes safety and prolongs the economical operating life of equipment.

Some of the basic factors in any preventive maintenance program are: Planned periodic inspection and maintenance based on actual operations, careful selection of maintenance staff of both capable workers and supervisors, clearly defined authority from management to carry out the program and accurate record keeping system. It would mean

more safety and better service to the riding public and increased income for the management when this aspect of the transport industry is viewed with more concern. Not to be forgotten however, is the replacement of vehicles and equipment policies in the entire transport industry. A great deal of preventive maintenance policies and procedures hinge on replacement policies. Normally, replacement policies are promulgated and then a systematic, tightly controlled preventive maintenance program is set to work.

In terms of highway capacity, we can say generally that one commercial vehicle on a route facility in level terrain has approximately the effect of two passenger cars and of four passenger cars if on rolling terrain. Generally also, commercial vehicles occupy a greater road space and influence other traffic over a larger area of the highway than do passenger cars. Commercial vehicles usually travel at lower speeds especially on grades or rolling terrain. Thus, when a highway is operating at its maximum capacity the total number of accommodated vehicles, is less if there are commercial vehicles than if the traffic were composed entirely of passenger cars or similar vehicles.

#### **EFFECT ON NATIONAL PREPAREDNESS**

It will be observed that the tempo in the implementation of the current socio-economic program of the government has increased recently. Consequently, the managerial skills and innate ability of our human resources as well as the vast capacity of our natural resources, will be continually put to

*(Continued on page 38)*

pelate review action is necessary before execution of the bad-conduct discharge can be effected.

Save in those based on pleas of guilty, sentences involving discharge (dishonorable or bad-conduct) and confinement in the penitentiary shall require appellate Review (Board of Review) action approved by The Judge Advocate General before execution may be ordered. After holding that the record in a case is legally sufficient to support the findings and sentence, the Judge Advocate General shall advise the Reviewing Authority from where said record was received, who will in turn order the execution of the sentence by causing to be published an appropriate court-martial orders. Sentences requiring confirmation by the President (before executions are ordered) are as follows.

- (a) Any sentence respecting a general officer;
- (b) Any sentence extending to the dismissal of an officer;
- (c) Any sentence extending to the suspension or dismissal of a cadet, flying cadet, probationary second lieutenant; and
- (d) Any sentence of death.

There are, however, exceptions to the aforementioned rules. For example, in time of war, the sentence extending to the dismissal of an officer below the rank of Brigadier General may be carried into execution upon confirmation by the Commanding General of the Army in the field. Likewise, sentences of death against persons convicted of murder, mutiny, desertion, or espionage in time of war, after action by a Board of Review approved by The Judge Advocate General and confirmed by the Commanding General of the Army in the field, may be carried into execution. In a case where the court-martial is appointed by the President, or in time of war where the Commanding General of Army in the field is the Reviewing Authority, confirmation herein required is no longer necessary. Approval of the sentence renders the same executory.

Following the compliance with the aforementioned rules, courts-martial sentences are already executory. Executions are effected by the promulgation of appropriate Courts-Martial Orders. After the promulgation of the appropriate Courts-Martial Orders, no other orders are necessary from the convening authority to effect the sentence. Only implementing orders are thereafter issued as may be necessary. Such courts-martial orders are sufficient bases for any implementing unit and/or officer under the command to enforce the sentence. In the case of a summary court-martial, however, approval of the sentence by the convening authority which should be reflected on page 4 of the charge sheet, renders the sentence enforceable. The promulgation of a court-martial order is not required.

In the full sense of the term, a court-martial is not a court as the same is understood in civil phraseology. It is not a part of the judicial system but simply an instrumentality of the Executive power. Not being a component of the judiciary, it is not an inferior court, and no statute having placed it in a legal relation therewith, its proceedings are not subject to be directly reviewed by any court,

The Armed Forces of the Philippines observed the 27th anniversary of its founding last December 21, 1962 in simple ceremonies at Camp Murphy.

The highlight of the ceremonies was the presentation of awards to AFP men of the year. They were:

- AFP Enlisted Man of the Year  
TSgt Jose F Fotros 475243 PAF
- GHQ Enlisted Man of the Year  
SSgt Saturnino F Diola 522567 PA
- PA Enlisted Man of the Year  
TSgt Adriano B Quevedo 503069 PA
- PC Enlisted Man of the Year  
TSgt Alejandro R Orotea 498172 PC
- PAF Enlisted Man of the Year  
MSgt Eugenio Puente 114138 PAF
- PN Enlisted Man of the Year  
MMC Edon J Pacheco 477028 PN

either by certiorari, or otherwise, nor are its judgments or sentences subject to appeal. It is purely an executive order designed for military use, put into existence by military orders. Like any military body or person, it is subject to the orders of a competent military superior. Its existence, as well as the power to act upon its proceedings, are attributes of command. It is on this wise, that the execution of its sentence is purely dependent on the action of the military superior who created it.

## CAUTION

(Prepared by the Constabulary Staff Judge Advocate in line with pronounced policies of Secretary of National Defense Macario Peralta, Jr., this orange light appears as a parting word in the revised "Primer On Strike Duties" recently distributed by TI & EO, HPC.)

a) In the performance of duties enumerated in Section IV, pars. 1, 2 and 3 of this primer, AS A GENERAL RULE, such remedies as arrest and seizures should be resorted to only when other measures such as persuasion, appeal to reason, etc., calculated to convince the strikers or picketeers to confine their activities within lawful limits shall have failed.

b) In some instances, unlawful activities of strikers may, by positive intervention, be restored to peacefulness without resorting to drastic actions. There is nothing like giving the strikers a second chance. Where annoyance has been removed by peaceful means, further action need not be undertaken unless there is persistence or positive defiance.

c) Unless required by a court order specifically directing it, under no circumstance will force or compulsion be used for the purpose of confining the activities of strikers and/or picketeers to lawful limits except incident to the exercise of arrest (a crime must have been or being committed) in which case ONLY THE MINIMUM necessary to effect it should be employed.

## Road Safety . . .

*(Continued from page 35)*

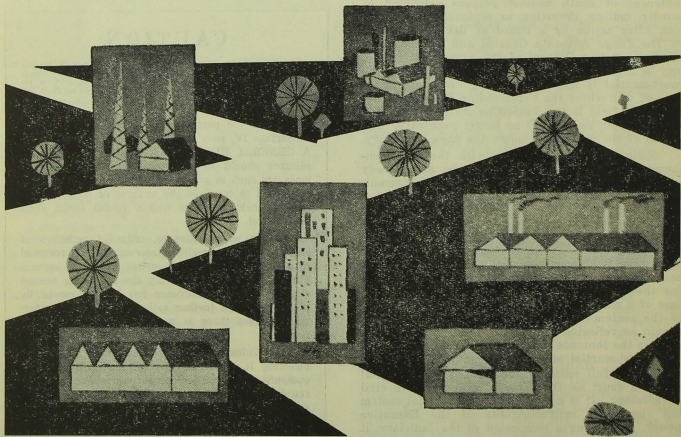
crucial tests that should give the nation the confidence and proficiency desirable in the face of a final test especially in an emergency.

Since the end of Second World War rapid progress has been achieved in this country both in rehabilitation and reconstruction, as well as in projects to update the country's basic facilities and services. The expanded economy, concomitant with the growing population, imposes additional requirements for complementary public services and utilities, particularly in the transportation field, both for needed goods and products and the riding public. Plans, however excellent, are of little worth without the means for their execution. In a sense, logistics is an economic force which is conditioned by the nature of the task to be performed. Certain requirements of the civilian economy are basic to the support of an emergency effort, which may be war-supporting, and to those which the civilians must have for their necessities. Civilian requirements are those necessary to maintain "acceptable" living conditions and keep up public morale, while military requirements are obvious. In the event that civilian requirements should become part of the total requirement in a mobilization or an emergency, consideration should be towards an equitable division of resources with every sector bearing its share according to the situation.

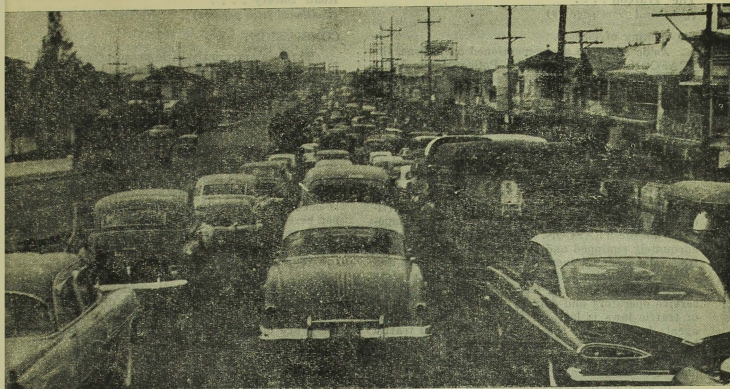
## WHAT TRAFCON CAN DO TO HELP INCREASE ROAD CAPACITY EFFICIENCY

Section 20 of Executive Order 209 dtd 19 Oct 1956 provides, among other things, that the "functions, powers, duties and responsibilities of the Traffic Control Group of the Philippine Constabulary shall include but not limited to the enforcement of traffic and safety laws, rules and regulations, . . .". It is further pointed out that under Sec. 21-C of Executive Order 209 the Headquarters of TRAFCON (PC) shall ". . . develop instruction, standards, programs and procedures for traffic control operations". Under such provisions, it can be assumed that the TRAFCON is in a position not only to help other law enforcing and regulating agencies apprehend traffic violators, but also help frame such rules and regulations for the maximum and safe utilization of our highways. This is especially so, considering that of all the agencies involved in the traffic problem of our country, TRAFCON has the personnel and equipment that can be used to advantage. Public policy and need dictate that where agencies are in a position of advantage to help solve socio-economic problems of the country, they should be utilized and/or heard. Considering that Constabulary Officers are potential traffic officers, they can be a major factor in our traffic and safety improvement program, given the proper authority and support.

*(Continued on page 40)*



*Plans, however excellent, are of little worth without the means for their execution.*



*Unnecessary changing of lanes has caused many a traffic jam.*

### The Trafcon . . .

*(Continued from page 9)*

Motor Vehicle Law and other traffic laws. This function dates back to 1933 when the "Triple Alliance" was entered into by Brig. Gen. Clarence Bowers, Chief of the PC; Mr. A. D. Williams, Director of Public Works; and Mr. Luis Torres, Senior Public Service Commissioner.

The initial group which was headed by Col. Azurin and activated on December 1, 1954, was composed of 12 officers and 41 enlisted men from the different Army units. These military personnel underwent a rigid training conducted by technical men from the Motor Vehicles Office and the Public Service Commission. All phases and intricacies of the Motor Vehicle Law and other traffic laws were explained. This was supplemented by pertinent memoranda and SOPS covering all phases of the new job. But however competent and efficient these few men may have become, traffic violations and accidents continued to haunt their minds. The operational responsibility of the TRAFCON encompasses the entire Philippines—the area of operation being divided into 8 traffic districts with a traffic team of one officer and four enlisted men to each district. The TRAFCON, therefore, in relation to its area of coverage, was and still is very much undermanned.

On October 19, 1956, through Executive Order No. 209, the group was authorized a complement of 150 (38 officers and 112 enlisted men.) The new set-up provided for a staff of 6 officers for its headquarters and 32 for distribution to the different

provinces of the four military areas, General Order No. 348, GHQ, AFP, of December 11, 1956, redivided the area of operation into 28 traffic districts in line with the increase in personnel and for a better traffic control and more effective supervision.

Since its organization in 1954, the TRAFCON has survived several chiefs. It had been headed by Col. Azurin, Lt. Col. Amadeo Garcia, Col. Leopoldo L. Acot, Col. Luis Uranza, in that order, and, presently, by Col. Jose D. Regala. But after its reorganization in 1956, the group has ceased to grow; its personnel has remained constant at 150.

The question arises: Can 150 men, with only 37 patrol cars (only 25 of which are in running condition) efficiently and effectively cover a total of 36,521,491 road kilometers? Can these 150 men account for 219,000 registered vehicles and 337,562 licensed drivers? The answer, obviously, is no. But, it is sad to say, lack of funds has hindered the TRAFCON to expand.

Well aware of its limited capabilities, the TRAFCON concentrates its operation along critical areas to cope with situations normally expected to arise because of seasonal activities. Among such operations — which are provided with 24-hour coverage by the TRAFCON and other enforcement agencies — are the following:

Operation Kennon Road, which covers the North and Southbound routes which are kept busy on summer by vacationists to and from Baguio; Operation Maytime, which covers the route leading to Antipolo; and Operation School Term, which covers provincial-highway routes leading to Manila, for

## The Trafcon . . .

(Continued from page 39)

the opening of classes.

Aside from the above-mentioned operations, the TRAFCON assists the Manila Police Mobile Units in "watching over" critical areas in Manila's suburbs. It aids the Motor Vehicles Office, the Public Service Commission, and other traffic bureaus, in going after dilapidated vehicles that pose more danger than convenience on the highway.

It also assists the GAO and the PAGCOM in going after officials misusing government vehicles; and the BIR in going after hot cars, smuggled to evade payment of taxes.

These missions present several inherent difficulties and are too gigantic for the present composition of the TRAFCON. Besides, the MVO is not adequately equipped and organized to cope with the tremendous annual increase of licensed drivers and registered vehicles. Add to this the fact that safety consciousness is sorely lacking among our public service operators and drivers; and the enforcement of traffic laws is lax. In fact, some unscrupulous agents have gone to the extent of enforcing traffic laws for personal aggrandizement, to the detriment of the group's prestige and standing before the public.

In addition to these problems, our highways and roads are still of pre-war standards despite the increase in vehicular power, speed and weight of modern cars. Our speed limit have become very unrealistic in the face of these modern vehicles. In other words, our traffic laws are now out-of-date.

The new TRAFCON Chief, Col. Regala, suggests that for a more modern, yet more realistic traffic situation in the Philippines, our traffic laws ought to be updated and improved. He has in mind a NATIONAL TRAFFIC CODE which in effect, will incorporate, among other things:

a) creation of a national traffic body to undertake studies, analyses, plans, etcetera, for a safety program which shall have the authority to direct agencies concerned with traffic, as well as agencies whose jurisdiction affects the traffic situation;

b) creation of special traffic courts to try traffic cases to facilitate the speedy adjudication and/or penalization of traffic violators; and

c) Designation of the TRAFCON as the police-enforcing arm of the National Traffic Code so that appropriations may be regularly provided for from special funds.

When this National Traffic Code will have come to being, if ever, the TRAFCON Chief will be a happy man. Equally enthusiastic and eagerly waiting for the implementation of this suggestion is Operations Officer Capt. Leonor M. Reyes.

In the meantime, the TRAFCON, in its effort to promote traffic safety on the highway, has adopted and launched the following measures:

1. A traffic safety education campaign to acquaint bus operators and owners with the fundamentals governing their public utility operations;
2. A weekly driver-seminar on safety all over the Philippines;

## Road Safety . . .

(Continued from page 38)

### CONCLUSION:

There is apparently little or no precedent planning or figures for use as guide in solving our traffic problems at present and in time of emergency. It is necessary to initiate and periodically review plans and figures as a basic for future operations. If any emergency or evacuation plans should be made and implemented, dissemination of all available information and details to the public is imperative. Any measure for road capacity efficiency must consider the space occupied per person in the moving traffic stream and the length of time that the space is occupied in traveling a given distance. "Space per person may be expressed as the space occupied in the traffic stream by a vehicle of a particular type divided by the number of persons carried by the vehicle." The length of time that the space is occupied may be determined by the distance traveled by the overall speed of the vehicle. For comparing efficiencies, therefore, of the different modes of road transportation, the speed of the vehicles, the space occupied by them in the traffic stream, and the carried load plus the restrictive factors, are the elements to be considered if conclusive results are to be obtained.

The participation of the members of the AFP in keeping our roads safe and in the socio-economic development of the Philippines has been a challenge and a philosophy likened to the words of Robert Louis Stevenson: "That man is a success who has lived well, laughed often and loved much; who has accomplished his task; who leaves the world better than he found it, whether by an improved poppy, a perfect poem or a reserved soul; who never lacked appreciation of earth's beauty or failed to express it; who looked for the best in others and gave the best he had."

3. Assistance to the Bureau of Land Transportation in the enforcement of requirements concerning drivers' licenses and motor vehicle registrations;
4. Coordination with the MVO, the PSC and the BPH with the end in view of discovering ways and means to promote safety on the highway;
5. Encouragement to school authorities to conduct classroom dissemination of pedestrian safety; and,
6. Supervision of local police forces and all other traffic enforcement agencies in order to achieve standard and uniform enforcement of traffic rules and regulations.

The mission of the TRAFCON to promote traffic safety on the highway may be a difficult task; but it is not impossible of successful accomplishment. Accidents may be inevitable but with the cooperation of motorists, traffic-enforcing agencies and the general public, this catastrophe of highway deaths and injuries could be minimized, if not totally prevented. Then, the Philippines will be a safe ground to drive in.



## Affidavits . . .

(Continued from page 5)

Furthermore, the adverse party is deprived of his right to cross-examine and test the credibility of the affiant (*Azcueta v. Cabangbang*, CA-GR No. 628-R, June 30, 1947; 45 O.G. 144, Supp., May 1949), and the court will not be afforded a chance to observe the demeanor of the witness while testifying. With respect to the right of cross-examination, Sec. 87 of Rule 123 says:

*Upon termination of the direct examination, the witness may be cross-examined by the adverse party as to any matters stated in the direct examination or connected therewith, with sufficient fullness and freedom, to test his accuracy and truthfulness and freedom from interest or bias, or the reverse, and elicit all important facts bearing upon the issues.*

The right to cross-examination is a constitutional precept in connection with defendants in criminal cases. Paragraph 17, Sec. 1 of Art. III of the Constitution reads: "In all criminal prosecutions, the accused shall enjoy the right to meet the witnesses face to face". This right of cross-examination will not be satisfied if the witness is allowed to be absent and only his affidavit is presented in evidence in lieu of his oral testimony. Thus it was held that "while Exhs. 9 and 9-A are admissible as public records, the statements contained therein, as to the date of the supposed death of Juan Reyes, are hearsay, because the declarants were not subjected to the test of cross-examination. The date set forth in the said Exhibits is the date fixed by calculation of the affiants or of the one who prepared the statements. (*People v. Caggauan, et al.*, G.R. No. L-5385, Dec. 28, 1953. See also *Cordova v. Catile Bros*, 18 Phil. 317 and *Quinto v. Soriano*, CA-G.R. No. 765-R, Sept. 27, 1947). Not only that, the submission of affidavits in a case pending in court violates Sec. 77 of Rule 123 which states that "the testimony of witnesses shall be given orally in open court and under oath or affirmation".

The rule that an affidavit may not be presented as an exhibit because the affiant is not cross-examined by the adverse party, does not apply, however, to an affidavit executed by the accused. That is so, because the affidavit may be a confession under Sec. 14, Rule 123, if the accused-affiant expressly acknowledges the truth of his guilt as to the offense charged, in which case conviction is assured. If not a confession, the affidavit may be an admission under Sec. 7 of the same Rule 123. In other words, an affidavit of the accused in the possession of the prosecution may be presented and admitted as exhibit but the affidavit of a witness is inadmissible as evidence because, aside from being hearsay, it also violates the law on confrontation. Said witness should be produced in open court. Before the affidavit of the accused is presented, however, the execution of the affidavit as well as the signature of the accused — affiant should be established to the satisfaction of the court.

18 One reason why the technique of taking an affidavit should be well understood, especially by those

connected with investigative agencies, is that the taking of the affidavit while the facts are still fresh in the mind of the witness is a great assurance that no detail, regardless of how trivial it appears at the time, will be overlooked.

In *People v. Lopez & Laja*, CA-GR No. 00190-CR, July 26, 1961, 58 O.G., No. 14, p. 2938, the Court of Appeals held:

*Affidavits executed by eye-witness a few hours after an accident while the events attested to were still fresh in their minds deserve more credence than affidavits of retractions executed by the same witnesses a month thereafter, especially where said witnesses were not presented during the trial to support their affidavits of retraction.*

Moreover, if a prospective witness knows that he has given a previous statement under oath, the possibility of changing his testimony at the time of the trial is remote. Whereas, if he has not at all given any written statement under oath, he may change his testimony because of friendship, fear, pressure or money.

The element of surprise from unforeseen testimony during the trial is lessened if some of the witnesses have executed their affidavits concerning the incident.

To some extent the missing link or the undeveloped lead in the case will be discovered after studying the supporting affidavits and other evidence on hand. Sworn statements will, therefore, form the basis of pursuing the investigation further.

With the aid of an affidavit the witness will have a ready guide when his turn to testify comes, even many years later. Litigations in the Philippines are tiresome, long, and time consuming. Besides, our court dockets are always clogged. The possibility of trying the case several years after the occurrence of the incident is not remote.

Aside from refreshing the memory of the witness, it will also serve as a guide for the counsel.

In some instances the affiant will testify differently when put on the witness stand. In such a case his affidavit may be used to impeach or discredit him, as was held in *People v. Almadovar* 84 Phil. 76, 83

*Although affidavit may not, under the two-witness rule be used to prove his overt acts of treason it may at least be utilized to impeach the defendant as a witness, because of the conflict between the contents of said written statement and his testimony in court during the trial in support of his pretended innocence and professed loyalty to the Government, and it may be further used to show his adherence to the enemy.*

In *People v. Agcaoli, et al.*, G.R. Nos. L-3084-3085, June 6, 1950, the principal witness for the prosecution made two conflicting affidavits. In Exh. "1" he incriminated the appellants in the same way when he testified at the trial. In Exh. "2" he retracted the contents of Exh. "1". The court declared:

*This is certainly destructive of the witness' credibility which cannot easily be overcome by the*

(Continued on page 57)

# PAOAY

**T**HERE is very little doubt that at least two local landmarks quickly and surely attract the attention of a native of Paoay from his most tender and impressionable years. One of them is the Paoay Lake — a beautiful natural wonder that is rich in legendary lore. The other is the hoary, centuries-old Paoay church with its massive flying buttresses.

People say that these two noted landmarks have had something to do with the choice of a career among many a native son of Paoay. Sight of the lake is a soul-uplifting experience, while contemplation of the venerable church has provided the inspiration and the answer to many perplexed young men.

In the whole province of Ilocos Norte, Paoay has contributed the greatest number of priests. In the town itself, those who have taken up the priesthood as a profession outnumber the doctors, lawyers, engineers, teachers, mechanics and other vocations. The rest of the population are also engaged in such gainful occupations like farming, fishing, salt making, weaving, basi manufacturing and other home industries.

Paoay is a town situated south of Laoag, scize four kilometers west of Batac, seven kilometers north of Currimao and five kilometers from the China Sea east of Cullili Point.

It was established in 1701, by Don Martin Guiang. Originally, the settlement was very close to the coast, but the constant incursions of Chinese pirates forced the people to move several kilometers inland.

Incumbent officials of the town are: Gomer-sindo Echiverri, Mayor; Estanislao Bagayas, Vice-Mayor; Atty Bonifacio Clemente, Francisco Ralleca, Dr. Rafael R. Aquino, Glicerio Rosal, Isidro Sado-miano; Alipio Galapia, Primitivo Arzadon and Elio-gio Cabugon, members of the Municipal Council.

Other key officials: Lucas D. Carpio; Justice of the Peace; Simplicio Cabilis, Municipal Treasurer, Crescencio E. Pobre, Municipal Secretary; and Jorge Plan, Chief of Police.

Projects finished by the present administration —

Irrigation: Galpac Dam (PACD); Lawis Dam (PACD); Bugas Dam (PACD); Burok Dam (PACD); and San Agustin diversion canal (PACD); totalling P10,000.

A puericulture center costing P10,000.

Artesian wells in Dolores, Pannaratan, Nal-buan, Salbang, San Blas, Paratong, Pambaran, Bacsil, Suba, San Roque, Cabangaran, Nangguyudan, and Mumulaan.

Road Construction: 1) Asphaltling of the Pro-cessional road — P24,000; 2) Paoay-Balacad-Laoag road — P20,000; 3) Asphaltling of Cemetery road — P2,000; and construction of Monte Bridge — P5,000.

Schools: 1 pre-fab building in Pasil; 1 annex 2-room building in Nagbacalan; 1 Home Economics Building in Nangguyudan; 1 one-room building annex in Bacsil; 1 school building in Sidag.

Program for other improvements (To be imple-mented starting Jan. 1, 1963):

## Name of Projects

- Paoay Communal Irrigation System (6) Dili Dam
- Paoay School Building
- Nagbacalan School Building
- Paoay Public Theatre
- Paoay Town Plaza
- Paoay-Nagbacalan Rd. Km. 470.558 — Km. 481.665
- Paoay Communal Irrigation System (6) Dili Dam
- Malaguip School Building (repair)
- Gabaldon Central School Building
- Paoay North Central School Building
- Paoay East Central School Building (repair)
- Entrada-Cemetery road (Const.)
- Concepcion-Provincial Road (const.)
- MacArthur-Cemetery Road (const.)
- Cabuyadao Str to Gabur Dam Rd. (const.) Town Hall
- Various Public Works Projects
- Paoay Municipal Building
- Municipal Streets & Barrio Roads
- Paoay Feeder Roads
- Paoay Barrio School Buildings
- Central Elementary School
- Paoay-Nagbacalan-Balacad Rds.
- Paoay Communal Irrigation
- Paoay Barrio School
- Paoay Communal Irrigation
- Nagbacalan Barrio School
- Salbang Barrio School
- Bacsil-Mumulaan Barrio School
- Malaguip Barrio School Building
- Monte Barrio School Building
- Suba Barrio School Building
- Nalasin Barrio School Building
- Feeder Roads
- Communal Irrigation System
- Paoay-Currimao Rd. (Asphalt)

## Amounts for above Projects:

15,000.00	1,000.00	2,000.00	1,000.00
20,000.00	1,000.00	10,000.00	1,000.00
10,000.00	1,000.00	32,000.00	2,000.00
5,000.00		4,000.00	2,000.00
10,000.00	1,500.00	3,000.00	1,000.00
2,000.00	2,000.00	4,000.00	1,000.00
	1,500.00	20,000.00	1,000.00
10,000.00	2,000.00	4,000.00	9,000.00
7,000.00	2,000.00	4,000.00	10,000.00
15,000.00	3,000.00	4,000.00	150,000.00

CERTIFIED CORRECT:

GOMERSINDO L. ECHIVERRI  
Municipal Mayor

# BANTAY

TOWN SURVEYS  
 (Continued)

**T**HERE are two explanations on how the town of Bantay got its name. The first is that the word "Bantay" in the dialect means mountain and the town was so named because it is the most mountainous in the whole first district of Ilocos Sur. The second is that "Bantay" in the dialect also means "guard." Anybody who wishes to go to Vigan, the capital of the province, would have to pass through the town so that any army wishing to attack the capital must have to overcome first the guards at Bantay.

This proximity to the capital of the province could very well have proven a big handicap to the community. It could have smothered the aspiration or the initiative of its inhabitants. But the people of Bantay, like the good Ilocano stock that they are, have proven beyond doubt that they are self-reliant, industrious and hardy.

Thus in the whole province, Bantay is one of the most progressive towns. The following is a partial list of the accomplishments of the present administration:

- 1) The asphaltting of all the streets in the poblacion;
- 2) Improvement of the municipal building;
- 3) Opening and completion of barrio roads connecting the interior barrios of Ora, Malifeb, Cabusligan, Quimarayan, Sagneb, Anannam, Tay-ac and Naggidayan;
- 4) Construction of permanent bridges at Melifeb and Tay-ac;
- 5) Improvement of barrio roads at Bulag West, Bulag Center to Taguipuro, Buimod-sagpat, Paing, and others;
- 6) Construction of foot-bridges at Sinabaan, Puspos and San Julian;
- 7) Construction of school buildings in the poblacion, Paing, Bulag, Tay-ac, Bulaleng, Guimod, Ma-

liñeb, Banawang, Tagaytay, Capañaganan, Ora and San Julian.

- 8) Construction of a concrete plume at Sinatan and Puspos;
- 9) Construction of the Ambuklao Generator in the Poblacion;
- 10) Construction of a Rural Health building, and some others of minor importance.

Projects that are still to be finished:

Irrigation dams at Nagtiripitian, Bahjet and Peru. The projects have already been surveyed and only the approval of the Baguio and Manila Offices is being awaited before the work begins. The money appropriated is P100,000.00 and is ready for release.

Program for other improvements:

- 1) There is now a project that may be sponsored by the EEA regarding the harnessing of the waters of the Abra River at Banawang, Bantay, just about 150 meters east of the Quirino Bridge, to irrigate not only the ricefields of Bantay, but also all the other towns of the First District of Ilocos Sur and also some of the municipalities of the Second District of the province.
- 2) There is also a plan for the beautification of the town plaza and the construction of a "rotunda" at the intersection of Govantes and the National Highway to Manila.

The municipality is presently being administered by the following: Ciriaco P. Parel, Mayor; Santos Paaleb, Vice Mayor; Juanito Valdez, Francisco Parada, Igmidio Osalvo, Jesus Pabo, Petronilo Hidalgo, Lorenzo Padre, Pascual Paranada and Crisanto Villegas, Members of the Municipal Council.

Other key officials of Bantay are Judge Victorio V. Alcantara, Justice of the Peace; Constante del Castillo, Municipal Treasurer; Dr. Felicidad B. Lucero, Rural Health Officer; and Gregorio P. Paredo, Chief of Police.

## Accomplishments

### Irrigation:

Galpac Dam — PACD	)	
Lawis " — "	)	
Bugas " — "	)	Total P10,000
Burok " — "	)	
San Agustin diversion canal—PACD)	)	

### Artesian Wells:

Dolores, Pannaratan, Nalbuán, Salbang, San Blas, Paratong, Pambaran, Bacsil, Suba, San Roque, Cabangaran, Nanguyudan, Mumulaan

### Road Construction:

Asphaltting of the Processional road — P24,000.00  
 Paoay-Balacad-Laoag road — P20,000.00  
 Asphaltting of Cemetery road — P2,000.00  
 Monte bridge — P5,000.00

### Schools:

1—prefab building — Pasil

- 1—annex 2-room building Nagbacalan — P3,000.00
- 1—Home Economics building, Nanguyudan — P2,000.00
- 1—1 room building annex — P2,000.00 (Bacsil)
- Completion of Sideg school — P1,000.00

### Other projects:

Implementation for the construction of all improved artesian wells (1-Nagbacalan, 1-Biran, Masintoc, Callaguip, Upay, Tacnir, Sideg, Mapusdo, Paratong, Veronica, Cayubog, Sta. Rita. Construction of a circumferential road around Paoay Lake, passing Nagbacalan, Sungadan, Pasil, Nanguyudan, Suba to Balacad road. McKinley st., Pobre I st., Young st., Municipio st., Taft st., Agbayani st., Tabora st., Green st., Balacad — Pasil road passing through Nalasin. Echiverri st. from Bo. 20 to Bo. No. 16, Poblacion-Urzadan-Baraniw, Summer st., 4th st., Paoay-Currimao Road to Monte.

# BATAC

The Town With A HISTORY

SET in the center of the lush Ilocos plain, about seven miles from where the waters of the China Sea kiss the western rim of our country, and under the shadow of the mysterious Ilocos range, the town of Batac was founded by the famous Spanish Conquistador, Juan de Salcedo, in 1577. It is the birthplace of Bishop Gregorio Aglipay, founder of the Philippine Independent Church, General Artemio Ricarte, that doughty old soldier who preferred exile in Japan rather than bow to American might, the vernacular poet, Jacinto Caoli, whose "The Life and Sufferings of Jesus Christ," is still sung and recited during the Lenten season, as well as of the late Assemblyman Julio Nalundasan, Senator Ferdinand Marcos and Congressman Simeon M. Valdez. The town of Batac can also point with pride to its heroic struggles during the Philippine Revolution and the Japanese Occupation.

But Batac is not content to rest on the laurels it has won in its glorious past. The present administration: Mayor Feliciano Q. Asuncion, Vice Mayor Atty. Fe Acosta-Aguinaldo, Members of the Municipal Council Pio Sabas, Marcial Cuanang, Leonel S. Verano, Gregorio G. Guittap, Santiago Abitong, Pablo Bactin and Attys. Consejo Lagmay-Nalupta and Julian Q. Chua, Municipal Treasurer Vicente S. Castro, Chief of Police Claudio A. Bagaosian and Municipal Secretary Alejandro A. Arcangel. They have set a record of accomplishments that could very well be the envy of many Philippine towns.

Among these that can be cited are the following:

To minimize losses from floods which generally destroy crops, dwellings and human lives, dikes have been constructed along the banks of the big rivers in and outside the poblacion.

To meet the needs of the common people for food, clothing, material aid and general guidance for the old and young, a unit within the office of the mayor has been opened. It is called the Office of the Social Welfare Administration, Ilocos Norte Branch.

Roads within the poblacion and in the barrios have either been improved or newly opened. Bridges connecting several barrios have also been constructed, like those in the barrios of Quiling, Baao, Nagbacalan, Cubol, Mabaleng, Parangopong, Nuto-Baobao.

Artesian wells have been installed in the poblacion and in barrios Baay, Dariwdiw, Nagbacalan, Baao, Rayuray, Palonpong, Bil-cola, Pangangopong, San Mateo, Payao, Colo, Tabug, Magnuang, Cubol and Quiling.

School buildings within the poblacion and outside have been considerably improved. In several schools, canteens maintained by teachers and pupils, have been set up. And to implement home industries, home economics buildings have been erected and they function within the school compounds of the poblacion, and in barrios like Baay, Bil-cola, Quiling, Tabug, Magnuang, Cubol, Colo, Maipalig, Sumader, San Mateo, Palongpong, Camandingan, Baao, Nagbacalan, and Dariwdiw.

In a number of barrios outside the poblacion, health centers have been established through the cooperation of the Philippine Charity Sweepstakes. Multi-purpose pavements and barrio halls have also been constructed in many barrios.

To further serve the needs of the inhabitants, street lights and waiting stations have been installed in the poblacion through donations of civic-spirited citizens, youth organizations and the aid of the barrio people.

But still bigger and more useful projects are being undertaken or are being planned. For example, the blueprint of a branch of the Provincial Hospital of Ilocos Norte in Batac has already been completed. The hospital will accommodate 25 beds. A total of P250,000 has been appropriated for its construction.

Also underway is the construction of a library building, an amphitheater, and the renovation of the 34-year old municipal building.

Surveys of communal irrigation dams have been finished by the Bureau of Public Works at Baao, Rayuray, Nagbacalan and application for water rights construction at Cabarruan and Palongpong through the recommendation of the municipal mayor with the aid of the PACD and the people. And for better security during the rainy season, a dike east of the poblacion from Palpalicong going northward to the end of Nalasin has been surveyed and is expected to be constructed soon.

Also included in the Mayor's program for further improvement of the town is the asphaltting of processional streets and roads leading to the cemeteries. He is also considering the zonification of the poblacion to avoid disasters from fire and other calamities. Like any man of vision, enthusiasm and courage, the mayor cannot be content with what has already been accomplished but would always strive for more feeder roads, better school buildings, strongly built irrigation dams, bridges, barrio plazas and many other improvements.

Thus it can be seen that Batac, blessed with a great past to which it can look back with pride, has an equally great and encouraging present. Its future is very bright indeed, as it will be built further on the solid rock of positive achievements.

# CURRIMAO

**T**HE strategic location of a town is, in a way, already a big and important advantage. But it is not enough. For a community to make any marked degree of progress, its inhabitants must possess the spirit of self-sacrifice, cooperation, traits of frugality and industry and the will to succeed. The community, moreover, must also have for its leaders men of courage, wisdom and the dedication to work for the best welfare of their fellow citizens.

The Ilocos region is not noted for good natural harbors; much of its coastline is hilly or sandy. Currimao, however, is one of the few good Ilocos ports. In this way, Currimao is already more fortunate than many of her sister towns in the Ilocos region.

Currimao is also blessed with a homogenous population of almost pure Ilocano stock. One would be hard put to find the equal of the Ilocano in industry, frugality, self-sacrifice, perseverance, and the will to succeed.

Finally, Currimao is fortunate enough to have men like Mayor Clemente F. Lazo, Vice Mayor Andres Reyno, Municipal Board Members Gervacio Gavino, Francisco Aglipay, Florentino Pascua, Antonio Pardo, Julian Agolod-od and Jose Dumlaog. Other key officials are: Atty. Fidel P. Dumlaog, Justice of the Peace; Jose R. Ruiz, Municipal Treasurer; Juan Peralta, Chief of Police, and Foribio M. Lazo, Municipal Secretary. They are, one and all, sincerely dedicated to their work and imbued with courage and wisdom to guide ably the destiny of Currimao.

It is little wonder then that although Currimao is a very small town, both in size and population,

the projects that have been accomplished by its people are worthy of the emulation of other communities:

Among these projects are:

#### Road Construction —

- 1) Poblacion — Bimmonga-Pangil (P5,000)
  - 2) Poblacion — Sta. Cruz — Lang-ayan — Baramban to National Highway (P1,300)
  - 3) Asphaltling of a portion of the provincial road in Poblacion (P36,000 — self-help)
  - 4) Pias-Anggapan-Conacomloong (P800 — self-help)
  - 5) Poblacion — Municipal cemetery (P36,000)
  - 6) Maglaoi-Caboosan (P1,200 — self-help)
- Irrigation—communal irrigation system (P5,500)  
Puericulture Health Center—Barrios Pias (P5,000)

#### School Buildings —

- 1) Five pre-fabs in Barrio Pangil; one in Bummanga; one in Lang-ayan one in Poblacion and one in Maglaoi.
- 2) One Home Economics building and one Industrial Arts building in Lang-ayan.
- 3) Repair of old Gabaldon Building in Poblacion (P10,000).
- 4) Concrete fence around school building in Bummanga and Barrio Pias.

#### Projects being undertaken:

- 1) Asphaltling of the processional road in the poblacion.
- 2) Municipal stage and auditorium.
- 3) Industrial Arts Building in Maglaoi.

## The Turnover . . .

(Continued from page 4)

Thereafter, he was detailed with the SEATO Group, Office of the Chief of Staff in 1956 and to Taiwan and Japan (Joint JUSMAG Logistics Div) in 1957. From July to November 1958, he attended the Management Course at the CGSS, Fort Wm McKinley, Rizal. Then, he was handpicked and detailed for about a month with former Sec. Serrano to the United Nations and the Pentagon to expedite delivery of MDAP assistance because of his extensive knowledge of logistics. In March 1959, he was sent to New Zealand as a delegate to the 10th Military Advisers Meeting, Council of Ministers, SEATO.

After his stint abroad, he was designated Zone Commander, II PCZ from 1 July 1959 to 31 August 1961. He received the much-coveted star of a Brigadier General on 11 August 1961. With this promotion came his appointment as Commanding General of the IIMA/2ID on 1 September 1961. Prior to his assumption of the Philippine Army Command on September 16, 1962, he was Acting Deputy Chief of Staff, GHQ, AFP.



Mayor Samuel E. Orpilla  
San Esteban, Ilocos Sur



Mayor Felix T. Tuanquin  
Tayum Abra

He is married to the former Consuelo Caballero of Gumaca, Quezon. They have six children: Josephine, Lottie, Ernesto, Elizabeth, Annabelle and Arlene.

## SINAIT

**F**OUNDED by an Agustinian friar, Sinait is one of the oldest towns in Ilocos Sur. Past progress, however, had been rather slow. For one thing, its soil is poor and has never been favorable for extensive farming. Also all the arable areas of the municipality is not enough to support the local population.

Lately, though, with the advent of scientific farming, it has been possible to raise more crops. Chief among these are rice, corn, vegetables, Virginia and local tobacco. Aside from farming, other industries are fishing, salt-making, poultry and pig raising.

Backed thus by a hard-working and thrifty people and with the community enjoying peace and order, the present administration has been able to push through some important projects. Some of these are the following:

1. Construction of new feeder roads; improvement of existing barrio roads; asphaltting of municipal streets; repair and improvement of the Sinait River Control and the communal irrigation systems.

2. Construction of 6 rural health units in Barrios Sta. Cruz, Dadalaquiten, Banicaud, Cadangalan, Baracbac and Teppeng, and 5 multi-purpose pavements in the rural areas.

3. Installation of several artesian wells in the Poblacion and in the barrios.

4. Construction, repair and improvement of barrio schools and in the Poblacion.

5. Construction of the Municipal Auditorium.
6. Construction of the market building annex.

Other important projects being undertaken:

1. Establishment and operation of the Ilocos Regional Experimental Station in cooperation with the Philippine Tobacco Association which will serve Northern Luzon.

2. Construction of the Zapat-Quimmalugong Barrio road; the Jordan-Pacis-Binacud-Quitbitquit barrio road; and the Sapriana-Cabarambanan barrio road.

3. Completion of the Town Hall, and additional market buildings.

Program for other improvements:

The local administration has requested the Emergency Employment Agency, through Congressman Crisologo, to assign a permanent labor force in the municipality to help construct barrio roads, public buildings and irrigation systems.

Incumbent officials of the town are: Valerio Yabes, Mayor; Marianito Ibañez, Vice Mayor; Amador V. Corpuz, Hermenegildo Agdeppa, Ludovico A. Pascua, Marino V. Sabado, Leonardo Y. Dayoan and Felix Y. Ines, Members of the Municipal Council.

Other key officials are: Vicente S. Sagun, Municipal Secretary; Rufino Impellido, Municipal Treasurer; and Felipe Agdeppa, Chief of Police.

## BUCA Y (Abra)

**F**OR fully 15 years, that is, from the time of its founding on October 29, 1847 by Padre Blanco — priest, soldier and botanist — and who named it after a vine called *makabuhay* which grew in abundance locally, Bucay had the distinction of being the capital of the province of Abra. But for the indiscretion of the military governor's wife, it might have perhaps, retained that distinction to the present. However, that is past history, and as people are wont to say, there is very little use in pining for what might have been.

It is therefore, quite understandable why the people of Bucay today will readily respond with enthusiasm when mention is made of its distinctive places of interest like the "Casa Real" gate in the poblacion and the Nagcolloban Cave in Barrio Pakiling or of its being the municipality that supplies all the fuel needs of tobacco planters of Ilocos Sur. Also, for a comparatively small municipality, it can be proud of the progress that has, so far, been accomplished under the administration of Mayor Julio Gonzales, Vice Mayor Cojeto Paligutan and Mem-

bers of the Municipal Council Demetrio Espiritu, Valentin Timbreza, Juan Quintos, Rosalio Alagao, Angel Tuzon and Padre Ballera. Other key officials are Floro T. Bernardez, Municipal Secretary; Gregorio B. Baleras, Asst. Mun. Treasurer and In-Charge of Office.

Among these accomplishments are:

1. **Communal Irrigation Systems:** those in Lublubnac, Tabiog and Patoc.
2. **Waterworks and Spring Developments:** Improvement of the Bucay waterworks (Poblacion); Spring developments in Madalipay and Salnac.
3. **Health Clinics:** Rural Health Clinic at Poblacion and Patoc Health Clinic at Barrio Patoc.
4. Construction of barrio and feeder roads in Abang, Bangbangcag, Calao, Dugong, Lublubnac, Pagala, Sioasio, Tabiog and Quimloong.
5. Transfer of site and construction of the public market.

New Forensic . . . .  
(Continued from page 11)

ever, this was remedied by moving the set-up across the corridor into a space vacated by the CIS. The arrangement required knocking out some walls and partitions between rooms, transferring some equipment into available and workable space, even putting a comfort room out of commission to accommodate supplies and records. The corridors have been cleared of cabinets and tables to give room to working slab tables, a new place for the bulky opium vaults and more light installations, thus setting up a satisfactory work flow pattern for the various branches and sections. What remains to complete the job is for the walls and partitions to have a new paint to obliterate the 1958 shades which obviously, are no longer pleasing to the eye. All this environment was the result of the efforts and ingenuity of the Chief, Major Antonio U. Briones. "Now we can do more work without stepping into another's shoes," the major said in apparent satisfaction over the job.

The laboratory is primarily concerned with locking for clues left by criminals. This will be accomplished through scientific analysis of evidence submitted by various PC Units all over the Philippines. Handicapped by limited facilities, the laboratory is turning out more than 2,500 analyses every year. Its achievement has been chronicled in court records throughout the country.

The operation of this PC unit which has no counterpart in any branches of the Military Service, encompasses the entire range in the ordinary scheme of Justice administration in our country. Laboratory service assures that the criminals and other enemies of society do not escape the ends of justice and, at the same time, ensures that aggrieved parties are not denied the same justice.

Since its foundation seventeen years ago, its expansion and development have steadily kept pace with the rapid progress of law enforcement—the profession it serves.

The laboratory is in the hands of competent and trained career men headed by Major Briones. Most of the officers and technicians have been with the unit since its inception after Liberation. The Chief



Former PC Major, now Representative Teodoro C. Natividad (N-Bulacan) pays a visit to his former office, the PCCL.

of the Unit has built a strong association among the 65 military and civilian personnel whose zealousness in this exacting task of crime detection and prevention has been quite notable.

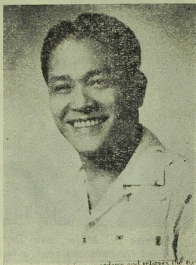
Major Briones is a career officer who took over from Major Natividad when the latter was loaned to Malacañang as legal officer to the PCAPE. Major Briones was instrumental in separating the unit from the CIS in 1959 prior to his going abroad as an ICA-NEC grantee. He has been with the laboratory since 1950, when he organized the Medico-Legal Section of the Police Affairs Division (CIS). In 1958 after the fire that razed the Headquarters, he reorganized the laboratory following its separation from the CIS. With a limited administrative staff, he was able to carry on the burden of reorganization. In 1959 he was recommended to take a more specialized technical training to prepare him for a long career in the laboratory. Under the ICA-NEC Program and the sponsorship of the International Association of Chiefs of Police, he was given the opportunity to observe facilities and operation of laboratories all over the United States and to undergo specialized training in the various phases of crime detection and prevention.

When Major Briones replaced Col. Bugarin from the PCCL early this year he conducted right away a 6-month (every Saturday) In-Service Training of the Laboratory personnel on various discipline such as Fingerprinting and Dactyloscopy, Firearm Identification, QD and Trace Evidence Identification, Scientific Photography, Investigative Polygraphy, Forensic Chemistry, Toxicology, Hematology, and Legal Medicine. The training was terminated with a moot court conducted in every detail.

The laboratory is an observation and training ground for interns, police officers, military police personnel and visitors from various Asian countries. Through it, in the years to come, we can look hopefully for continuing advances in the application of science to the problems of detecting and apprehending law-breakers.

6. Conversion of the municipal high school into a national high school.
  7. Construction of streets culverts and improvement of municipal thoroughfares in the Poblacion.
  8. Improvement of the town hall.
  9. Construction of concrete spillways in Barrio San Miguel.
- Projects being undertaken:
1. Extension and improvement of barrio roads.
  2. Improvement of existing communal irrigation systems.
- Program for other improvements:
1. The construction of more barrio communal irrigation systems.
  2. Stocking with fish fry existing ponds and creeks to replenish the town's supply of fish.

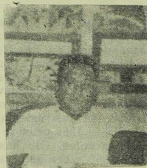
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Hon. Jose L. Valera  
Provincial Governor, Abra



Mayor Camilo U. Baker  
Peñarubia, Abra



Atty. Ciriaco P. Parel  
Municipal Mayor



Mayor Jose A. Achalar  
Santiago, Ilocos Sur



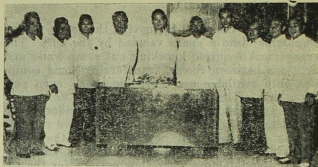
Mayor Manuel Purugganan  
Licuan, Abra



Mayor Miguel Udarte  
Magsingal, Ilocos Sur



Mayor Ricardo B. Lunzao  
Lagangilang, Abra



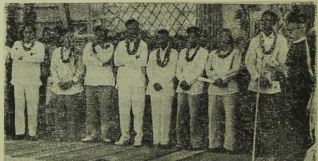
Mayor Lorenzo I. Formoso and members of the Vigan Municipal Council



COMMENDATION: Congressman Lucas Paredes of Abra is shown congratulating Mayor Ludovico H. Anin of Pidigan, Abra, who received a commendation from former defense secretary Alejo S. Santos (partly hidden), for having busted a cattle-rustling ring in Pidigan and other neighboring towns of Abra. The occasion took place last year at the Quezon City residence of Secretary Santos. Vice-governor Carmelo Z. Barbero was also present.



Mayor Valerio Yabes of Sinait, Ilocos Sur, together with the members of the Municipal Council and their ladies. Photo was taken during the induction of the elected officials of Sinait in 1960.

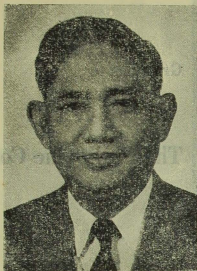


Mayor Victorino A. Savellano and the Members of the Municipal Council, Cabugao, Ilocos Sur. (L-R) Councilors: Teofilo Serrano, Dr. Frank Giner, Mariano Rosero, Mayor Savellano; Hilario Garmen, E. Pacifico Sison, Rodolfo Sonida; Mun. Sec. Atty. Benigno Siruno. (Not in photo is Vice Mayor Wilfrido Zabala.)



(Continued from page 28)

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Hon. Jose E. Evangelista  
Provincial Governor, Ilocos Norte



Mayor Fermin P. Tabanda and the members of the Municipal Council of San Vicente, Ilocos Sur. (L-R) Councilors: Emiliano Rialubin, Pascual Rosuman, Angel Ramos, Mayor Tabanda, Vice Mayor Melchor Rojas, Councilors: Alfredo Riosot, Julian Rosal, Uldarico Riteral.



Mayor and Mrs. Jaime R. Cordero, Narvacan, Ilocos Sur



Santos Paaleb  
Vice-Mayor  
Bantay, Ilocos Sur



Mayor Gomerindo L. Echiverri  
Paoy, Ilocos Norte



Mayor Anrel T. Bautista  
Bado, Ilocos Norte



Mayor Valerio Yabes  
Sinait, Ilocos Sur



Mayor Lorenzo I. Formoso  
Vigan, Ilocos Sur



Mayor Emeterio Balguna  
Piddig, Ilocos Norte



Mayor Clemente Lazo  
Currimao, Ilocos Norte



Mayor Guillermo Anunciacion  
San Ildefonso, Ilocos Sur

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Greetings to

**The Philippine Constabulary**

from

**The Municipality of Dolores, Abra**

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Caloocan City

Greetings to

**The Philippine Constabulary**

from

**The Municipality of Tayum, Abra**

Greetings to

**The Philippine Constabulary**

from

**The Municipality of Pidigan, Abra**

Greetings to

**The Philippine Constabulary**

from

**The Municipality of Peñarubia, Abra**

Greetings to

**The Philippine Constabulary**

from

**The Municipality of Langangilang,  
Abra**

# PACOM REPORT TO THE EIGHTH APACL CONFERENCE

**T**HE period between the Seventh Manila APACL Conference in 1961 and the Eighth APACL Tokyo Conference today marks a significant stride in our overall effort to promote, strengthen and maintain our anti-Communist posture in the Philippines.

The new administration of His Excellency, President Diosdado Macapagal, ushered in a new but vigorous stand against Communist subversive activities and infiltrations. So strong was the pronouncement of our President against the inroads of Communism in Asia that he even expressed serious resentment against the soft-gloved policy of our ally, the United States of America, which he interpreted as a setback in rallying Asian nations around an effective anti-Communist leadership.

One of the most important works undertaken by the Philippine Anti-Communist Movement (PACOM) was a mammoth anti-Communist youth rally held last March 10, 1962 in Quezon City, the new Capital of the Philippines.

It was the biggest Philippine rally held so far in denouncing Redism and the pernicious evils that it brings to mankind. A big crowd estimated at more than 25,000 heard President Diosdado Macapagal exhort the youth and all liberty-loving peoples to fight Communism in every way everywhere. In this mammoth rally, the Communist emblem was burned amidst a colorful setting used in a pageant written and directed by Dr. Jose Ma. Hernandez, our PACOM First Vice-President. It was a truly enthusiastic assembly of youth, foreign dignitaries, religious groups and the highest officials of our government which cheered the burning of the "hammer and sickle" symbol before the President of the Philippines.

The successful affair was a banner headliner the next day in all the leading newspapers in the Philippines. Friendly agencies such as the United States Information Service in Manila and the Armed Forces Journal of the Philippine Army carried the significance of the occasion across the front pages of their publications. Our television networks and movie companies also projected the important event in their respective media. The rally was a huge success because of the enthusiastic support extended to the Philippine Anti-Communist Movement by civic organizations and governmental entities. Our organization was also assisted by the Filipino-Chinese Anti-Communist League.

The Philippine delegates to the extraordinary session held in Seoul, Korea, last May 10, 1962, played a major role in shaping the plans for a Freedom Center and the organization of a Freedom Brigade in Southeast Asia.

During the same period, Major Medardo T. Jus-

tiniano, our PACOM director, had delivered a series of important talks in the United States, Okinawa and in the Philippines expounding on the anti-Communist activities being undertaken by PACOM as well as our other national agencies. He also discussed with appropriate agencies the potential of our organization, and the different factors hindering us in our anti-Communist efforts. We are hopeful that assistance to minimize these adversities will not be dimmed by complacency, indifference and even redtape. We are happy to receive the encouraging commendations given to our PACOM director by the Okinawa Government and the different agencies of the United States Government for his "outstanding presentations" on the Philippine Anti-Communist programs.

We also assisted the Filipino-Chinese Anti-Communist League in sponsoring the visit of Professor Chow Ching-Wen, a former key-man of Mao Tse Tung who defected to freedom after more than twenty years of Communism. His series of lectures in the Philippines had served to expose before our countrymen the other secret evils of Chinese Communism on a first-hand basis.

A woman anti-Communist group is also presently being formed to supplement our drives on other fronts. This is held significant because there are more women than men in the Philippines. Doubtless, the influence of women in our anti-Communist campaign will be of far-reaching effect.

During the year, our organization has distributed about 200,000 copies of assorted anti-Communist literature all over the Philippines. Our population now is 28 million. We hope that with the kind assistance of our sympathizers, perhaps we may step up our dissemination in the coming year.

We have made our modest contribution to freedom's cause by being the only Asian country which had outlawed the Communist Party organization. We had upset the Red's timetable of subversion in our country by crushing the military "Revolutionary HUK" force of the CPP. Nevertheless, we are fully aware of the surreptitious devices of the purveyors of this godless ideology to germinate again with the ultimate objective of overthrowing our duly constituted government. We know their sinister designs. We are ready for them.

His Excellency, President Diosdado Macapagal, after nine months of incumbency, had served notice to the world that the direction we Filipinos have chosen to take in this crucial battle of survival for mankind's destiny is unswerving and firm.

With God's help, with your help, and with the earnest support of freedom-loving peoples, we in the Philippines shall carry on with renewed vigour the fight against International Communism.

Of similar importance is the organizational mis-

# PC IN SPORTS

**T**HE PC Knights in the recently concluded AFP Little Olympics was able to retain its Runner-Up position last year outclassing its closest rival, the Philippine Navy, by 7.5 points. This entitled the PC to the Secretary of National Defense trophy which was awarded during the closing ceremonies held last 21 Dec. 1962 at the Camp Murphy Parade Ground.

Although the Constabulary had retained its spot as Runner-Up in the overall championship of the 6th AFP Little Olympics, it is worth mentioning that it has improved in its accomplishments in sports by winning five team championships compared to last year's three. The Philippine Air Force won eight, the Philippine Navy, five, and the Philippine Army, one. The following is the resume of the final standing of the competing major services in the different events:

## VI AFP LITTLE OLYMPICS GENERAL STANDING

EVENTS	PAF	PC	PN	PA
1. Badminton	9	6	3	15
2. Baseball	15	3	6	9
3. Basketball	15	9	3	6
4. Boxing	9	6	15	3
5. Cycling	3	15	6	9
6. Golf	15	6	3	9
7. Judo	9	6	15	3
8. Shooting	6	15	3	9
9. Soccer Football	6	9	15	3
10. Swimming	9	3	15	6
11. Table Tennis	6	15	9	3
12. Tennis	6	15	3	9
13. Track	15	4.5	4.5	3
14. Field	15	9	6	3
15. Volleyball (6-man)	15	6	3	9
16. Volleyball (9-man)	9	15	3	6
17. Water Polo	15	3	9	6
18. Wrestling	9	3	15	6
19. Weightlifting	15	3	7.5	7.5
Total	201	154.5	147	124.5

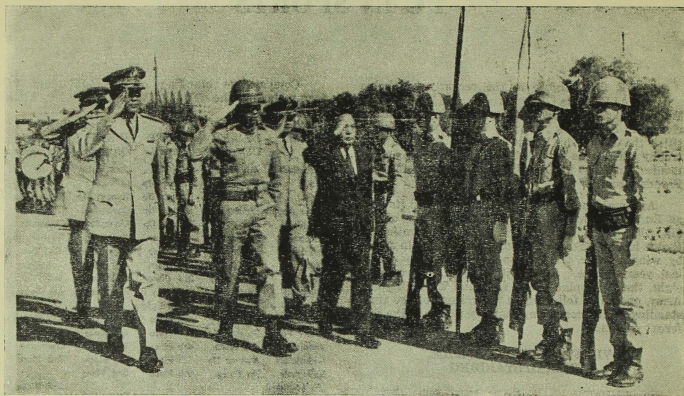
sion being undertaken by us to counteract Communist penetration in schools and colleges. There has been of late an alarming intensification of Communist activities exploiting the campuses or fraternities of our educational institutions. This is, of course, being closely watched by our intelligence community. For the PACOM, we have set the initial mechanics to organize our youth to meet this systematized plot of the Communist Party of the Philippines (CPP). A PACOM Jr. drive whose membership will come from universities and colleges is on the way. We expect to cripple the Communist threat in this direction thru the organization of PACOM's extension in our schools.

Comparative standing of the individual PC teams during the III, IV, V and VI AFP Little Olympics:

Events	III AFP Olympics	IV AFP Olympics	V AFP Olympics	VI AFP Olympics
Basketball	4th Place	Champion	Runner Up	Runner Up
Track	3rd Place	Runner Up	Champion	3rd Place
Field	3rd Place	Runner Up	Runner Up	Runner Up
Table Tennis	Runner Up	Runner Up	Champion	Champion
Shooting	3rd Place	Runner Up	Champion	Champion
Soccer	No Entry	3rd Place	3rd Place	Runner Up
Baseball	No Entry	3rd Place	3rd Place	4th Place
Golf	3rd Place	3rd Place	3rd Place	3rd Place
Boxing	4th Place	3rd Place	3rd Place	3rd Place
Wrestling	No Entry	3rd Place	4th Place	4th Place
Swimming	No Entry	4th Place	4th Place	4th Place
Water Polo	No Entry	4th Place	4th Place	4th Place
Tennis	4th Place	4th Place	3rd Place	Champion
Badminton	Runner Up	4th Place	4th Place	3rd Place
Volleyball	No Entry	4th Place	3rd Place	
" (6-man)				3rd Place
" (9-man)				Champion
Judo				3rd Place
Cycling				Champion
Weightlifting				4th Place

Managers and Coaches of the five (5) Champion Teams:

Shooting —	COL ANGEL P LEGASPI Manager
	MAJ JAIME F VILLAFUERTE Team Captain
Table Tennis	COL C P DELA CRUZ Manager and Coach
Tennis —	BRIG GEN FLAVIANO OLIVARES Manager
	LT COL SANTIAGO MARQUEZ Coach
Volleyball (9-man team)—	LT COL PEDRO JAVIER Manager
	MAJ HERNANDO COSTA Coach
Cycling —	MAJ INOCENCIO FALLARIA Manager
	CAPT TORIBIO D RABAGO Coach



*Speaker Cornelio T. Villareal trooping the line with then Acting Chief of Constabulary, Brig. Gen. Nicanor D. Garcia.*

### Speaker . . .

*(Continued from page 22)*

rich with instances of kindness, dependability and integrity. These must be maintained. They must be made real.

It is not pleasant to hear or read or learn about men in uniform being involved in both petty infractions of the law or in more serious crimes. While to some extent these cases are unavoidable it is preferable that they be kept down to a minimum. We cannot allow these to become causes of distrust and disrespect for our police forces.

The police has always been looked up to as protectors of the community. If this high regard has somehow been diminished in recent years, let us step forward and try to get it back to the degree that it was in the past. Let us repair the damage and restore prestige whenever it is threatened or endangered.

It has been said of the police everywhere in the world that upon no group of men have so many depend upon for protection and good example. Let us develop our police and other law-enforcement agencies to their finest once more. Let us get the public to

believe and to witness that the best traditions are abided by and observed.

There is no place for misfits and undesirables. There is no need for men who ignore the majesty of law which they are supposed to enforce. We cannot tolerate mulcters and crooks. We cannot settle for less than uprightness in character and unquestioned dedication to duty.

It has been argued that it has been difficult for our police officers to remain uncorrupted because of the interference of politicians. I wish you would not be so scared of politicians, especially the crooked ones. My advise to you, in passing, is that you should never be intimidated by anyone so long as, in your honest belief, you are doing the right thing. No man should fear anyone who operates in utter disregard of public welfare.

Remember, however, that no politician is *per se* a bad or crooked man. There are those who are sincere and honest, who have only the common welfare at heart.

Before I close, my friends, let me appeal to you to cultivate respect for law and make our people more greatly aware that there is such a thing as the majesty of law.

**Eavesdropping . . .**  
(Continued from page 27)

wiretapping was given clear legal status for the first time.

The amendment was added to the Bill of Rights guarantee against unreasonable searches and seizures. To the layman it may seem to read backwards. The amendment provides:

"The right of the people to be secure against unreasonable interception of telephone and telegraph communications shall not be violated, and ex parte orders or warrants shall issue only upon oath or affirmation that there is reasonable ground to believe that evidence of crime may be thus obtained, and identifying the particular means of communication, and particularly describing the person or persons whose communications are to be intercepted and the purposes thereof."

Thus was paved the way for the passage of section 813-a of the Code of Criminal Procedure, under which orders are issued by the courts to permit and regulate law enforcement on wiretapping.

Confusion as to the meaning of these provisions was one of the factors in the Appelbaum case. The trial judge cited them, as though they had been violated, in his charge to the jury which convicted Mr. Appelbaum. The appellate judges unanimously found that in doing so the trial judge had committed a reversible error invalidating the verdict, because these provisions "relate solely to the sovereign authority and its agencies and not to individuals."

This distinction is one of the important reasons why we have found it desirable to consider private eavesdropping quite separately in this report from wiretapping by public officers. Thus we avoid confusion in our thinking.

Another widespread misconception which has direct bearing on our problems has to do with "the right of privacy." Obviously the practices of eavesdropping constitute invasion of personal privacy, and clearly the laws against interception of messages are aimed to protect their privacy. In our discussions practically all of us have spoken of "the right of privacy" as though it were something we all possess as a matter of law.

"The right of privacy" is not mentioned in the Constitution and it appears in the statutes only as the titles of Article 5 of the Civil Rights Law and of section 50 of that law. This article has only three sections. Sections 50 and 51 provide criminal and civil penalties for the unauthorized use of a person's name or picture for commercial purposes. Section 52, added in 1952, prohibits the broadcasting or televising of any proceedings in which witnesses are examined under oath. From the legal standpoint, these three sections constitute the entire right of privacy as it exists in New York today.

Even though it does not now apply to eavesdropping, this "right of privacy" is of direct interest to us in the present circumstances, as an example of

how the law grows and is adapted to modern conditions. The legal concept was first expressed in an article, "The Right of Privacy," in the **Harvard Law Review** of December 1890 by Samuel D. Warren and Louis D. Brandeis. This was a quarter-century before Mr. Brandeis became a justice of the United States Supreme Court. In this article the authors noted that in earliest times the law protected the physical person and property, and "later, there came a recognition of man's spiritual nature, of his feelings and his intellect." Gradually, they argued, the scope of legal rights had expanded to include "the right to be let alone." They asserted that "the term 'property' has grown to comprise every form of possession—intangible as well as tangible." This common law argument was directed, not against eavesdropping, but against the unauthorized publication of personal papers and photographs.

A dozen years later, the Brandeis philosophy became the central issue in a major case in the New York State Court of Appeals, **Roberson v. Rochester Folding Box Company** (171 N.Y. 538) In this case the picture of a young girl, Miss Roberson, had been used on a label for 25,000 flour containers, without authorization. She sued to stop and collect damages. The Court of Appeals, divided 4 to 3, decided against her. Clearly she had been wronged, but the Court found the law contained no remedy.

The Court said that "an individual's so-called right of privacy, founded on the claim that he has right to pass through this world, if he wills, without having his picture published, his business enterprises discussed, his successful experiments written up for the benefit of others, or his eccentricities commented upon either in handbills, circulars, catalogues, periodicals or newspapers. . . does not exist in the law and is not enforceable in equity."

The minority of the court strongly advocated the Brandeis viewpoint, and maintained that the development of instantaneous photography presented new conditions which the law should face.

Chief Judge Alton B. Parker, for the majority, spoke of "the vast field of litigation which would necessarily be opened up should this court hold that privacy exists as a legal right enforceable in equity. . ." He suggested that the remedy lay in legislation, from which "no embarrassment would result to the general body of the law."

The following year, 1903, the Legislature enacted sections 50 and 51 of the Civil Rights Law, establishing the right of privacy to that extent and that extent alone. The Brandeis view had prevailed, but only with respect to unauthorized commercial use of names and photographs.

These events of the past have a relation to our problems today. The invention of instantaneous communication is of even more moment than the invention of instantaneous photography, and has raised many more questions of privacy. Of these the law should take cognizance.

The law at its best is the embodiment of human customs and the common opinion of men. The

(Continued on page 61)

## GRADUATING POLICE OFFICERS

C/Pol Benny M Agravante .. M Fortich, Bukidnon  
Pol Lt Alfredo Aguas ..... Manila  
C/Pol Sofronio D. Aguipo ..... Ormoc City  
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C/Pol Felix L Arlan ..... Sapaog, Surigao Norte  
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## Affidavits . . .

(Continued from page 41)

*Explanation of the prosecution that the latter affidavit was obtained through machinations of the attorneys for the defense.*

An affidavit may also be the basis for prosecuting the affiant for perjury under certain circumstances. It is high time we should start prosecuting people who take lightly the sanctity of an oath.

Another use of an affidavit is in support of a criminal complaint. It is the practice in our country that affidavits of the witnesses, especially that of the complainant, are attached when filing a complaint or information.

The Court of Appeals, speaking of affidavits in support of the information, said:

*The fact that the affidavit of the offended party in support of the information is less detailed than her testimony in open court does not make said affidavit or testimony false or incredible, there being no incongruity between the former and the latter, or inconsistency in the facts therein stated in one and the other. Neither the rules nor practice require detailed affidavits in support of an information. (People v. Torrefiel, et al., CA-GR No. 659, Nov. 29, 1947.)*

However, if the declarations of the witnesses for the prosecution on the witness stand coincide or tally substantially with the affidavit executed by the accused, even if he repudiates or contests the contents of the affidavits later on, this circumstance will influence greatly the outcome of the case. In effect, that was what the Supreme Court said in *People v. Meriales, et al.*, 84 Phil. 20-21 which in part is as follows:

*Otra prueba que refuerza la prosecucion despendo toda duda sobre la culpabilidad de los apelantes, son sus affidavits prestados ante el Teniente Guillermo Y. Manuel, del Military Police, en donde confiesan la comision del delito de un modo sustancialmente conforme con lo declarado por Isabelo y Josefina Ledda ante el Juzgado. Estos affidavits denotan que los tres acusados actuaron en conjunto, probandose de esta manera positivamente la existencia de una conspiracion. Antes de la prestacion de estos affidavits, el apelante Isidro Mendoza ya habia confesado al juez de paz de Balaano su participacion en el crimen, nombrando como companeros a Alfonso Mendoza y Marciano Meriales. Los apelantes alegan haber sido forzados a firmar dichos affidavits. Esta alegacion es enteramente futil. Tanto el Teniente Manuel como el juez de paz de co-accion ni violencia sobre los declarantes e de Balaano aseguran que no ejercieron ninguna coercion sus confesiones. . . No se ha demostrado en autos nada que pudiera afectar en lo minimo a la credibilidad de los dos mencionados funcionarios que tomaron las declaraciones juradas.*

In *People v. Fausto, G.R. No. L-16381, Dec. 30, 1961*, the accused signed a statement barely three hours after the commission of the crime. Furthermore, he re-enacted the crime at its scene only a few hours after he committed it. His defense was insanity. The Supreme Court held that these facts left no room for doubt as to his sanity, both during

and after the execution of the crime.

A sworn statement or affidavit may be either in question-and-answer form, in narrative form, or a combination of both. The question-and-answer form, however, has a decided advantage over the narrative form in that the person conducting the investigation has a full control of the situation. He can ask the affiant anything whether or not the question is related to the crime under investigation, although only those germane to the case are to be taken down. Besides, it is only in questioning that the interrogator is able to clarify matters left out by the affiant in the course of his narration.

He should also know the general facts of the case; the more he knows about it, the better. Only if he knows the general facts of the case under investigation will he be in a position to ask questions which will finally lead to the solution of the case and its ultimate prosecution in court. Facts favorable to the subject should be included in the sworn statement for this will enhance the value of the affidavit. It simply shows that the person taking the statement of the witness is impartial in recording all facts

... The statement should be in the phrasology of the person making the statement, even though it is ungrammatical. This is one way of showing that the statement is voluntarily made.

Joint affidavit of two or more persons or witnesses who may testify to the same facts should be avoided for it is quite impossible for two or more individuals to relate the incidents they both observed in exactly the same words.

When a statement is in the question-and-answer form, leading or suggestive questions should not be asked. Sec. 82, Rule 123 of the Rules of Court defines a leading question as "a question which suggests to the witness the answer which the examining party desires".

The affidavit, be it in the narrative or question-and-answer form or a combination of the two, should be a chronological recital of all pertinent facts surrounding the case under investigation.

Whatever the form is, the person taking the affidavit or the investigator should make intentional errors in the sworn statement. These errors should be corrected by the affiant by crossing the erroneous words and at the same time writing the correct ones in his own penmanship, if he knows how to write, and initialed by him. It is strongly recommended that these errors should be scattered all over the affidavit; one at the beginning of the statement preferably on page 1; another at the middle of the second page, another at the end of the third page, then at the middle of the fourth page, etc. If by chance the affiant overlooks those intentional mistakes, his attention should be called. For example, if the affiant declares that he is from Pasig, Rizal, the statement may say that he is from Tanay, Rizal.

Now, if he fails to notice the mistake, he should be asked the question: "Did you say you are from Pasig, Rizal?" In all probability he will recall what he rightly stated. He will then be asked to make the

(Continued on page 58)

## Affidavits . . .

(Continued from page 57)

correction as explained above. The presence of many corrections scattered all over the pages of the affidavit and properly initialed by the affiant will preclude the excuse affiants usually interpose during the hearing while testifying that they signed the affidavit without reading it. But how can one make corrections without reading it? It is quite natural that the mistakes in the affidavit were noticed because the affiant read it. The court will then doubt the truthfulness of the witness and, following the Latin maxim of **falsus in uno falsus in omnibus**, his credibility as a witness will be greatly affected. Full opportunity should therefore be given the affiant to make any and all corrections he desires.

Each page of the statement should be signed by the affiants so as to do away with a possible later charge that the investigator has inserted or detached pages.

The concluding paragraph of the statement should recite that the statement consists of a stated number of pages, each of which has been numbered and signed at the margin by the affiant and his instrumental witnesses to the signature, that the statement was given freely and voluntarily without threat or promise of any kind; and that the person making the statement or the affiant has read it. Below is a good example of the concluding paragraph of a statement:

*I have read this statement consisting of five (5) pages. I have signed each and every page of*

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*this statement and have initialed all corrections. I have made this statement freely and voluntarily. No one has promised me anything or threatened me in any way to obtain this statement.*

Any disability of the affiant that might reflect on his possible understanding of the contents of the statement should be explained as should also how the difficulty was overcome. An example of a handicap and how to overcome it, is that of a blind affiant. In such a case it is wise for a friend (a member of the affiant's family is preferred), to read the statement to him, and the person who does this should make an appropriate statement to that effect over his signature.

In the event the affiant refuses to sign his statement, invoking for this purpose his constitutional rights, the interrogator should, at any rate, so indicate such fact in the last portion. The interrogator should also certify, preferably at the end of the statement, that the affiant refused to sign the statement on grounds of constitutional rights. The recorder of the interrogation should likewise make a similar certification. These acts should be supported by additional certificates of at least two unbiased witnesses that the affiant refused to sign his statement and that no harm nor intimidation has ever been applied to him.

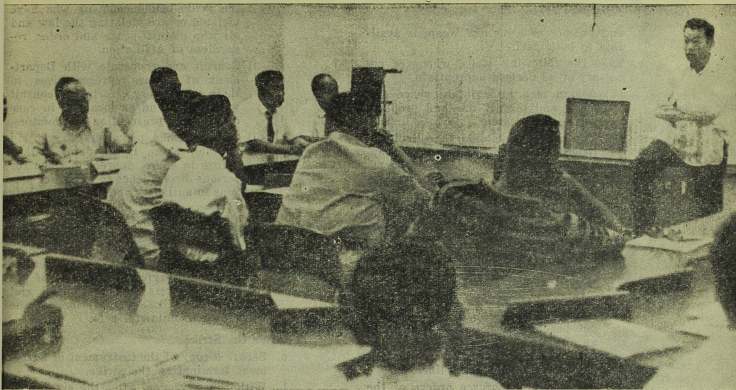
If the affiant is willing to sign his statement, his picture in the act of signing the same should be taken. It will be better if his interviewers appear in the picture too, as witnessing the signing of the statement.

It is recommended that the witnesses to the signature be a lawyer to further attest to the genuineness as well as to the execution of the affidavit.

It has also been noticed that there are affidavits written in the third person.

The most common is an affidavit in the first person. Legally, it does not matter whether the affidavit is in the first or third person, but just the same, it is strongly recommended that affidavits should be in the first person. The reason is not on the semantics alone. If the affidavit is in the third person, it would look as if the person who took the statement is the one talking. Thus the declarations therein do not appear as forceful as one taken in the first person. This is especially true if the statement involves a confession. Under Sec. 14, Rule 123, the accused must expressly acknowledge the truth of his guilt in order to constitute confession. Now, if the confession is in the form of an affidavit written in the third person, although there is no prescribed form of a confession, it is doubted if such confession has met the legal requirement of "expressly acknowledging the truth of his guilt". This fact, together with other circumstances, may cast a reasonable doubt on the guilt of the accused. This seemingly "minor matter" may mean the life or freedom of an individual. There is no doubt that an affidavit in the first person is more emphatic than one in the third person.

Finally, as much as possible, no copies of the sworn statement should be furnished the affiant or his lawyers.



PTGWO and AWU president Roberto S. Oca addressing union officials

## Handling the . . . .

(Continued from page 12)

(an Act to Promote Industrial Peace and for Other Purposes) (2) RA No. 1167 (an Act Punishing Obstruction and/or Interference with Peaceful Picketing During any Labor Controversy) (3) CA No. 103 (Act Establishing the Court of Industrial Relations) and (4) Laws or amendments to existing laws regarding labor relations which our government may, from time to time, promulgate.

As to procedure, particularly in cases of pending or actual strike, the following are suggested:

### 1. During Pre-Strike Period

#### a. Gather and report data on:

- (1) Demands and complaints of labor against management.
- (2) Issues involved.
- (3) Points of compromise advanced by management.
- (4) Attitudes of labor and management..
- (5) Number of persons likely to participate in the strike — Names of leaders and sympathizers.
- (6) Whether impending strike is purely the result of a legitimate labor dispute or merely a front of the CPP-HMB to create confusion and discontent.

#### b. Conduct a reconnaissance of the area or areas to be covered, plan probable patrol disposition, and screen personnel to be

utilized for Police Duty in case the strike is staged.

- c. Adopt necessary precautionary measures to forestall untoward incidents in case of sudden or unscheduled actions of either labor or management.
  - d. List principal leaders of the strike, and as much as possible, know their life history.
  - e. Consult and collaborate with regional representatives of the Department of Labor; and appeal to probable strikers thru their leaders to avoid unlawful picketing and other untoward acts in the event of actual strike.
  - f. Study factors affecting the situation and immediately provide available personnel and facilities to take care of any emergency arising from the staging of the strike.
  - g. Keep all personnel likely to participate in the impending strike, posted on the situation prevailing and brief them on the Rights and Restrictions imposed by law on the limits of their own participation, if strike materializes.
- ### 2. During Strikes
- a. Report immediately occurrence of the strike and pertinent details, particularly data when staged, number of direct participants, identity of leaders, and types

(Continued on page 60)

## Handling the . . . .

(Continued from page 59)

and number of arms and weapons available to both parties.

b. Take the following steps, whenever necessary or as deemed appropriate.

- (1) Assign men to maintain peace and order and protect life and property in the strike area.
- (2) Establish checkpoints to collect unlicensed firearms and deadly weapons of parties involved in strike.
- (3) Provide security along picket lines during conciliatory talks.
- (4) Determine if any CPP-HMB assistance was or is being extended to parties involved in the strike.
- (5) Confiscate placards with subversive wordings or tending to incite mobbery, violence, or disorder.
- (6) Keep picketeers off the employers' premises whenever the picketing is not peaceful or when it constitutes an obstruction to the free use of the particular property wherein the picketeers establish picket lines.
- (7) Implement or enforce orders of the Court of Industrial Relations or appropriate Courts of Justice.

(8) Apprehend strikers and members of the strike-bound company who have violated or are violating the law and all who disturb peace and order, regardless of affiliation.

(9) Consult and cooperate with Department of Labor representatives in their conciliatory efforts and consult with fiscal and/or local JP in case of probable prosecution of violators.

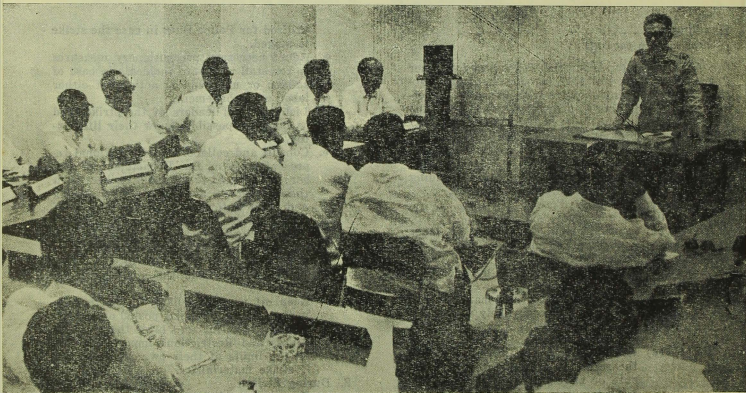
(10) Advise armed picketeers to get rid of their arms, if any, and if they refuse to do so, apprehend them for serious disobedience to agents of persons in authority and confiscate their arms.

(11) In case of riot, disperse the crowd immediately, giving them reasonable time to comply with the order, care being exercised that the movement will not interfere with those of the peace officers and apprehend riot leaders or those who are inciting the crowd to unlawful acts.

### 3. After the Strike

a. Secure a copy of the instrument of agreement terminating the strike.

b. Withdraw personnel after the signing of the agreement, but meanwhile, continue surveillance of affected area.



Lt. Col. Luciano I. Gunabe at a seminar on labor relations

- c. Submit reports to include critique and recommendations to improve efficiency of discharging police duties during strikes or operations of similar nature.

#### 4. In case of Unlawful Picketing

- a. Peace Officers may intervene when the picketing is not, or ceases to be peaceful, or when it is being conducted unlawfully inside the premises of the employer. Instances of unlawful picketing are:

- (1) When carried on with violence, intimidation or coercion or so conducted as to amount to a nuisance.
- (2) When it obstructs the free use of property or hinders the free passage or use, in the customary manner, of a street.
- (3) When staged on the employer's property which is an unlawful interference with the property rights of the employer.
- (4) Picketing outside the employer's property may be considered unlawful if not held at reasonable distance therefrom so as to cause annoyance or disturbance to the employer and the public.
- (5) Patrolling undertaken by strikers in front of factory is a private nuisance when held for the purpose of interfering with the business.
- (6) Picketing for the purpose of obstructing persons and traffic at the gates of the compound of the striken management.
- (7) Forming human blocks at the gates of the compound for the purpose of preventing the ingress and egress of vehicles.
- (8) Picketing along private roads of the establishment where "No Trespassing" signs are clearly in view.
- (9) Using handbills containing abusive or libelous charges, or hurling libelous remarks against any individual.
- (10) Coercing or intimidating strike breakers or scabs from working with the company.

In cases of unlawful picketing, peace officers should first seek the principal leaders of the strike and request them to advise the strikers to desist from unlawful acts. If the strikers persist, the peace officers should consult representatives of the Departments of Labor and Justice on possible legal action they should take, if any, to stop unlawful picketing. Pending the aforementioned consultation, peace officers may use their discretion in the manner of their intervention, always keeping in mind that the only justification for such discretion is to keep the picketing lawful and peaceful.

- b. When arrest and seizure become inevitable, the same should be done strictly in accordance with law.

No doubt, the laws and procedures of imple-

mentation enumerated here are known to peace officers. Nonetheless, complete acquaintance with the same, will give peace officers the much needed self-confidence, determination and dedication productive of the desired public service and performance.

Every actuation of individual officers could contribute to the overall efforts which will bring about public confidence and raise the standard of police organizations in the eyes of our people. By the same token, a simple failure, either by commission or omission, by any member of the organization could do much to destroy public confidence. Certain norms of conduct, to mention a few, are as follows:

- (1) Habitual courtesy — cheerful, cordial in speech and actions, firm but generous and considerate, friendly and helpful in dealing with people and always acting with discretion.
- (2) Just, Impartial, Reasonable — There should be neither abuse of power or authority nor interfering with any legal act of labor or management in the furtherance of their respective interests.
- (3) Honesty — Peace officers should not reduce their effectiveness and efficiency by accepting favors such as gifts, emoluments, foods, drinks, transportation, etc., from either labor or management. This breeds distrust and suspicion. There is absolutely no justification for peace officers to compromise their official and personal dignity.
- (4) Respect for the dignity of the common man — Help in the preservation of human rights. We are peace officers first and foremost and we need not use force or arms unless and only as a last resort.

In the summing up, the term "peace officers" connotes clearly the role of police officers, even during labor disputes—the maintenance of peace and order and the protection of life and property. That is their mission. The fact cannot be over-emphasized that in the performance of this mission, peace officers will observe strict neutrality and impartiality towards both labor and management, and will employ the utmost tact and diplomacy compatible with firmness as police officers.

#### Eavesdropping . . .

(Continued from page 55)

mere fact that we have so generally assumed that eavesdropping is an invasion of a right of privacy, non-existent in New York law, is perhaps the best evidence that the law should be expanded to include recognition of it. Our concepts have expanded, even as the arts of telephony and electronics have expanded. In 1892 it seemed natural to put the protection of the telephone company's lines into the same category as the protection of sewer pipes. Today this offends our sense of propriety. Wiretapping, and any electronic eavesdropping, have taken on new importance, not only in relation to our increased capacity to inflict wrong, but also in relation to our expanding concepts of the rights of man and the dignity of the individual person.

## The Concept . . .

(Continued from page 13)

willingness to go to voluntary arbitration; and (4) non-intimidation.

These conditions require a little explanation. Firstly, while framing demands we have to be extremely careful, otherwise our case will be weak from the very beginning and there will not be a reasonable chance of an agreement. It is, therefore, necessary for us to find out an adjustment between our pressing claims and the objective conditions.

Secondly, public support is another factor to be counted, otherwise our struggle will be isolated. It is not that there are only two classes in a society, namely employees and employers, who can be left alone to decide their own affairs. There is an important and a wider class of consumers which is immediately affected by an industrial action. We have to convince the public or the consumers, on whose support and sympathy we hope to win, that ours is a just cause and the employers are acting in an un-

## The Industrial . . .

(Continued from page 14)

demned labor injunctions, and Courts are loathe to issue the writ. In fact, only unlawful picketing may be enjoined (PAFLU vs. Barot, 52 O.G. 6544). The legislature, cognizant of the disfavor with which a labor injunction is viewed, made it difficult to obtain the writ under Sec. 9 of Rep. Act No. 875. And one of the hardest requirements to satisfy under Sec. 9 before a labor injunction is issued, is the requisite that public officers are unable or unwilling to furnish adequate protection.

As the substituted bill would have the effect of deterring peace officers from maintaining peace and order during a strike, it would become easier to satisfy this requirement about the inability or unwillingness of peace officers to furnish adequate protection. Hence, it would likewise be easier for complaints praying for the issuance of labor injunctions (usually on the part of management) to secure the writ in labor disputes.

I proposed to provide in two separate paragraphs the prohibition against transporting and escorting replacements, whether entering or leaving the premises of a strike area, but due to the reluctance of my colleagues to distinguish a "peace officer" from an "armed person," I insisted in introducing an amendment to the bill, which would not curtail the inherent duty of peace officers of maintaining peace and order, to the effect that "Nothing in this Act shall be interpreted to prevent any peace officer from taking any measures necessary to maintain peace and order." Fortunately, this amendment was incorporated in the bill as the last paragraph of Section 1 thereof, when the bill was approved on second reading by the Senate. I hope that my amendment will help clarify the position of peace officers during a strike and thereby contribute to industrial peace.

reasonable way. Employers will also try their best to put their case before the forum of public opinion. This particular point could be best illustrated in the case of city council employees who must realize that their real masters are a vast mass of taxpayers and not a few officials of the city council, and as such they have to win to their side, the taxpayers and citizens in a trade dispute.

Thirdly, we must be prepared to get our claims examined by an independent arbitration. If we have a strong case, we need not be chary about going before an arbitrator. We have, of course, to take care that the arbitration proceedings are not dilatory and we have our say in the choice of an arbitrator.

And fourthly, there should arise no necessity at all of the intimidation against our fellow workers. Strikes must be conducted, therefore, in a perfect non-violent fashion. Any outbreak of violence in the course of strike would give an upper hand to the guardians of law and order, who would not hesitate to use force in suppressing a strike.

The trade unions in action cannot rest content with their own activities if they want to play a national or an international role. The trade unions in action are ever widening circles. Just as workers in particular trades and industries have banded together in trade unions in order to win better working and living conditions, these unions have almost universally formed national trade union organizations for the sake of greater strength and unity.

Department of Public Works and Communications  
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Owner Hldtrs.: Philippine Constabulary . . . . . Camp Crame, Quezon City  
Publisher Hldtrs.: Philippine Constabulary . . . . . Camp Crame, Quezon City  
Printer: Phoenix Press, Inc. . . . . 315 Quezon Blvd. Ex., Q.C.  
Office of Publication: Headquarters, PC . . . . . Camp Crame, Quezon City

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1. Sent to paid subscribers . . . . . 554  
2. Sent to others than paid subscribers . . . . . 456  
Total . . . . . 1000

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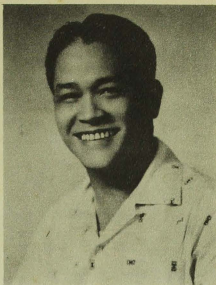
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WILLIAM N. CHAVEZ  
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