

### ### Title

Uy Ha vs. The City Mayor of Manila: The Pinball Machine Ordinance Case

### ### Facts

On December 24, 1957, the Municipal Board of Manila passed Ordinance No. 3941, which prohibited granting licenses for “Pinball” machine operation within the city. This led to the mayor’s directive to confiscate pinball machines used against the ordinance. Petitioner Uy Ha, who operated pinball machines in Manila pre-ordinance, was denied a license and subsequently sought legal intervention to annul the ordinance on grounds of its invalidity and unconstitutionality, arguing that pinball machines were for amusement, not gambling.

Respondents, defending the ordinance, classified the devices as gambling equipment, arguing their operation violated gambling laws and citing their negative impact on moral and economic well-being, especially among youth. The City of Manila intervened, citing Uy Ha’s owed fees for operating unlicensed pinball machines since 1956. The court sided with the city on the nature of pinball machines as gambling devices but refuted the fee claim, questioning the legality of the raised license fee.

Both parties appealed, leading to Supreme Court deliberation. The appeal raised two primary issues: the classification of pinball machines as gambling devices and the validity of Ordinance No. 3941.

### ### Issues

1. Are pinball machines gambling devices whose operation is banned by law?
2. Is Ordinance No. 3941 of the City of Manila valid and constitutional?

### ### Court’s Decision

The Supreme Court, concurring with the trial court’s classification, deemed pinball machines as gambling devices because winning chiefly depends on chance, rendering them harmful to youth and public welfare. The Court validated Ordinance No. 3941, ruling it fit within the city’s general welfare clause, emphasizing the distinction between regulatable slot machines and intrinsically prohibited gambling devices like pinball machines. Accordingly, the Court found Ordinance No. 3628, attempting to license and regulate pinball machines, ultra vires due to the inherent illegality of such devices. Hence, Uy Ha’s liability for unpaid license fees under this ordinance was rejected.

### ### Doctrine

- Pinball machines, by nature and operation fostering gambling instincts, are classified as

gambling devices.

- Regulations or ordinances prohibiting such devices fall within the general welfare powers of a city's governance as embodied in the City Charter.
- A device's classification as a gambling apparatus is predicated on its encouragement of gambling instinct rather than mere operational mechanism or potential for innocent use.

### ### Class Notes

- **\*\*Legal Classification of Devices\*\***: A device's classification hinges on its encouragement of gambling instincts and public impact rather than its operational design alone.
- **\*\*Municipal Power & Regulation\*\***: Municipalities can regulate or prohibit within their jurisdiction for public welfare under their general welfare clause, provided the scope of regulation is within legal bounds.
- **\*\*Ordinance Validity\*\***: An ordinance targeting inherently prohibited devices is upheld as valid when promoting public welfare and safety.

### ### Historical Background

In the late 1950s, amidst concerns over moral and social welfare, debates around the legality and regulation of amusement devices like pinball machines foregrounded the broader discourse on gambling, public morality, and local governance's role in safeguarding community values. This case encapsulates the period's regulatory attempts to curtail the perceived social ills associated with gambling, casting light on the intricacies of municipal regulatory powers versus individual business interests under the Philippine legal framework.