

Invisible women

*In this excerpt from her new book, *Women, Crime and the Courts: Hong Kong 1841-1941*, Patricia O'Sullivan lays out the cases of two females and their experiences with the colonial criminal justice system.*

“You only want me here for my money!” screamed Wong Po. “If I stay, you’ll just go on robbing me and gambling it all away like you have your pension.”

“You’re the thief!” retorted Kwong Cheung. “You took my watch and the jewellery.”

“Me, the thief?” Wong was incensed. “Who took that money out of my trunk? Who had the keys for it all the time? I didn’t.”

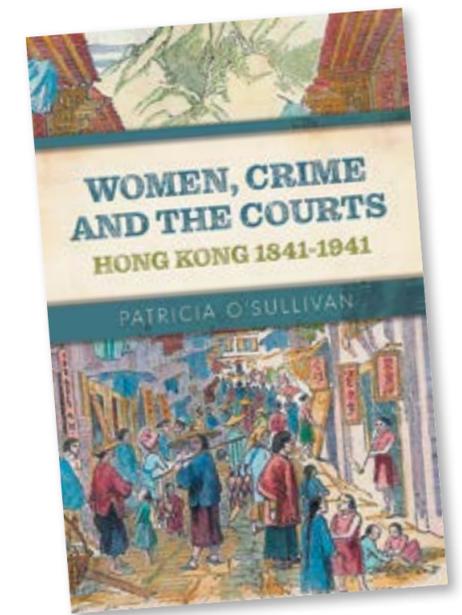
“Well, get out of here, then,” puffed Kwong, former Supreme Court messenger and owner of this comfortable home in Wan Chai. “You’re no use to me.”

“I will, I’m going to,” burred Wong, “but I’ll have my \$100 from you first, I’m not going without my money!”

This was February 1901, and two years earlier, Wong had been enjoying the high life in Macau. As the former mistress of a wealthy foreign gentleman, Wong was not worried about her future, having been handed by the man’s executor some \$500 after the funeral. This was about five years’ wages for most working Chinese men at the turn of the 20th century, and far more than she might have earned on her own account.

When she moved back to Hong Kong, relatively minted and definitely single, she could not resist looking up Kwong Cheung, an old flame. She had been his concubine years ago, but had left him when the rows with his wife became too much. Although at 51 he was now getting on in years, Kwong was still an attractive man, tall and now even stouter than she remembered. He lived on Queen’s Road East and rented the whole of the first floor of No 143, subletting bed-spaces and cubicles out to respectable working men. Kwong’s good financial position suited Wong, and by April 1900 she had moved in, once again as his concubine, bringing with her some lockable boxes containing clothes, household effects, jewellery and the money left to her.

That summer saw another outbreak of bubonic plague in the city, and although it was not as deadly as the epidemic in 1894, still it claimed its victims, one being a man on the floor above Kwong’s home. By



1900, fumigation had replaced white-liming as the way to disinfect properties, and although it was far less objectionable a means, it involved leaving the place unoccupied for a while.

During that time, Kwong had charge of the keys, and when allowed back into the house, Wong found that some money was missing from her belongings, and immediately she suspected her man. Kwong still worked at the Supreme Court, but he was all too fond of gambling and drinking these days, and Wong was sure her money had gone the same way. During the shouting match of accusations that broke out on the morning of February 5, Kwong suddenly lunged at Wong but he, not so nimble on his feet, stumbled and caught his head on the corner of a metal table. While he was stunned, Wong had snatched up a kitchen knife. “He’ll get it from me if he tries anything,” she thought, and as he renewed his attack on her, she, in a moment of frenzy, retaliated.

She was not sure how many times the blade had gone in. Once it had seemed to meet some resistance,



A sketch of Hong Kong from *The Illustrated London News* in 1857.

possibly bone, but it had come out easily each time. Now the weapon lay on the floor, by the feet of Kwong, who had collapsed across the bed, gurgling a little as life escaped him. Wong stood for a second, looking back at him, and knew what she must do. Screaming, she rushed into the front room and onto the balcony.

“Thieves! Robbers! *Gau meng!* [save life!],” she wailed.

Soon a crowd of onlookers gathered under the veranda, calling up to Wong and asking what was wrong. Constable U Yeung and Sanitary Inspector George Hogarth pushed their way through the throng and hurried up the stairs. Wong Po stood at the door.

“Thieves, six of them, have broken in to steal my money and they have killed my man,” she told them.

“Killed your man?” Hogarth repeated, “Where is he?”

She pointed to his body on the floor. Constable U believed Kwong was slightly alive when they first saw him, but inspector Hogarth could find no pulse in Kwong’s right wrist. Wong clutched at the officer and wailed, “Official police, take care of me”.

Hogarth thought her frightened, pale, and rather wild in appearance, but to him, Wong did not seem too upset about the dead man.

“The robbers threw a blanket over me and pushed me down onto the floor,” explained Wong. “I called out for Kwong and then I could hear the robbers attack him.”

It had all happened so fast that she had not had

time to recognise the men, but she was sure there were six of them.

The officers could not see how Kwong had died, and neither could they see signs of a struggle. Had the bruise on his forehead been caused by a blow by some heavy instrument? Was that responsible for his death?

When Police Inspector W.L. Ford arrived a few minutes later, he pointed out the stab wounds to the man’s abdomen and chest, missed by the others in the dim light of the room. The knife that lay close to the man was, Ford reckoned, the murder weapon. The autopsy would later show that Kwong had been stabbed three times, two of the blows puncturing the right lung, one continuing down into the liver.

THE LAST TIME THE COURTS HAD CONVICTED A WOMAN ON A CAPITAL CHARGE WAS BACK IN 1854, SO A MURDER CHARGE WITH A WOMAN IN THE DOCK? THAT WAS NEWSWORTHY.

days later. However, during that and her subsequent trial at the Supreme Court the next month, little more was added to the story than was already known.

There were no witnesses to the killing, so there was no one who could refute Wong’s version of what had happened. The prosecution’s case consisted of trying to prove that she had the means, motive and opportunity to commit the crime. There was no reconstruction of the murder as Wong may have committed it. The court heard only the story from her appearance on the balcony. But the prosecution maintained that she had killed her lover, leaving the public to conjecture the arguments and events that took place that day on Queen’s Road East.

Standing trial for her life before Chief Justice Sir John Carrington that spring, Wong was provided with a defence lawyer, the very able E.H. Sharp. Without minimising the gravity of the charge, and admitting that there were suspicious circumstances against his client, he warned that there is nothing more dangerous in dealing with cases of this character than to rely upon what is called circumstantial or presumptive evidence.

“More miscarriages of justice,” Mr Sharp told the jury, “have been due to reliance upon circumstantial evidence than from any other cause. This had happened even when such evidence had been stronger than in this case. Were the facts proved inconsistent with the story told by the prisoner? I contend that here they are wholly consistent with the innocence of my client. My client’s story, as told to the police and others, has been the same from beginning to end. I submit that if her story had been fabricated upon the instant, discrepancies and inconsistencies would have crept in.”

Despite Sharp’s best efforts, however, after the judge’s lengthy summing up, the jury took just 10 minutes to find Wong Po guilty of wilful murder. The chief justice concurred with the verdict: he told Wong he believed it to be the correct one and, donning his black cap, sentenced her to death by hanging.

Wong, however, claimed that she was pregnant, so she was examined by three doctors who all confirmed that she was about six months gone. British law did not permit the execution of a pregnant woman, since that would involve the denial of life to an innocent child, so once execution had been postponed until the birth, Wong’s sentence was commuted to life imprisonment. Her case, though, had taken the Hong Kong judicial system into unfamiliar territory. Wong was the first woman for many decades to receive the death penalty in the colony, and there was a lengthy debate about whether it should be carried out at all. Because of the

nature of the evidence, both the judge and the governor were against its enactment. Then, with the additional factor of her pregnancy, the conversion of the sentence to life imprisonment was confirmed.

But Wong was not destined to serve her time in prison. In his report for the year of 1901, the principal civil medical officer noted that a female prisoner, some eight months pregnant, suddenly had a fit on June 1. It was most certainly Wong, and so just over two months into her sentence, she was taken to the maternity hospital, already unconscious.

At first a renal condition associated with pregnancy was suspected, and though tests ruled that out, her temperature continued to rise. The following day her baby was born naturally, but dead. Further treatment was attempted, including ice-packing to bring her temperature down. Blood samples revealed the problem: large amounts of malarial parasites in her system. She died on June 7 of cerebral malaria.

Wong’s story leaves many questions unanswered. We might wonder how it was supposed that Wong could hit a tall man on the head with sufficient force to knock him out? Or why she stuck to her assertion of six men being involved in the robbery? And was any of her money actually missing?

Authorities seemed not concerned to explore further, and in the years leading up to and after the turn of the 20th century, the majority of such cases that involved Hong Kong, criminal courts and women turn out as equally “uninvestigated”.

But these were not the real reason Wong’s case attracted so much attention from both the Chinese and English-language press. In turn-of-the-century Hong Kong, murder cases were not as common as in the United States or Britain, perhaps just a dozen each year. The last time the courts had convicted a woman on a capital charge was back in 1854, so a murder charge with a woman in the dock? That was newsworthy.

In the summer of 1899, a little before Wong came into her comfortable inheritance, 17-year-old Tong Kui married a seaman in Shek I, on the Chinese mainland. From that point her life descended into misery, living in fear of her husband and his mother, who both frequently beat her. That September they decided to dispose of her and sold her to Leung Wai, a 45-year-old procuress based in Hong Kong, for \$120. The girl begged her husband to let her go home, but she was put on a boat with Leung and taken away, to a brothel on Ship Street, run by Leung Sze.

Much against Tong’s will, this brothel mistress set

WHILE VICTORIA GAOL WAS FULL TO BURSTING POINT, THE WOMEN'S PRISON, IN THE SAME BUILDING BUT STRICTLY SEPARATE, USUALLY HAD JUST 13 INMATES AT ANY TIME IN THESE YEARS.

her to work. There the situation would have remained: confined to the house, the girl had no chance of finding help. However, in July 1900, her male cousin from Macau was visiting Hong Kong and chanced to walk along that road. He glanced up and caught sight of the girl standing on the second-floor veranda.

Knowing the story of her "death" and that her mother had not seen her since the previous September, he sent word home. Tong's mother hurried to catch the steamer to the island, made her way to Wan Chai, and then angrily demanded entrance to the brothel. Here she was reunited with her daughter, but the brothel mistress refused to release the girl without payment of \$100. Tong's mother only had \$60 with her, so tried to negotiate. Leung Sze eventually agreed to accept \$80. But she could only get a further \$15 – not enough for the mistress.

On the pretext of going out to borrow more, the mother left and hurried to the registrar general's office. She knew that the people there helped women in her daughter's situation. In addition she suspected that the second, older woman in the brothel was responsible for kidnapping Tong, so she was eager to get to the government office as quickly as possible. Her confidence in the efficacy of this department was rewarded. Police Inspector John Lee, attached to the department for just this type of case, took charge and accompanied her back to the brothel. He arranged for Tong to stay at the Po Leung Kuk [shelter]. Lee explained to her mother that, there, no accomplices of the brothel mistress could get access to the girl. He was keen to prevent her captors from attempting to frighten or blackmail her into dropping the charges against them.

The officer was justified in his caution. At the magistracy the defence of the two women rested on a conflicting story of their own, but Lee could disprove that. The magistrate considered the case to be serious and gave Leung Wai, the procuress, the maximum sentence the court could impose, 12 months in prison. Leung Sze, brothel mistress, would serve nine months, both doing hard labour of oakum-picking.

Those who wanted to profit from the power they could wield over others saw nothing wrong in abducting a child or a young woman and selling her, through intermediaries, into prostitution or servitude. Ready markets existed in Hong Kong, Singapore, the



Illustration: Adolfo Arranz

Straits Settlements, the Philippines and the US. Such kidnapping and trading of children (boys and girls) and young women was a common occurrence. And when the object was female, women were often the kidnapers. For them it was an opportunity to make sums of money unavailable otherwise. It seems probable that only a small proportion of such abductions came to the attention of the law, and when they did, the trail of evidence was often obscure. But such cases at least resulted in the captive's liberation.

The available information, once again, trails off, but Tong's tale seems to be one of the more positive cases of the time. Whether she was able to return with her mother to Shek I, though, as all too often, we will never know.

While Victoria Gaol was full to bursting point, the Women's Prison, in the same building but strictly separate, usually had just 13 inmates at any time in these years. All but two or three would be there for just a few weeks, or while they were awaiting trial. Magistrates showed no particular leniency towards women because of their gender when judging these minor cases. But there is often a sense, in the more serious trials, that the judge and sometimes even the prosecution counsel took care to understand

the woman's case, which occasionally resulted in a less severe sentence. In the handful of cases where a death sentence was passed on a woman, most were commuted to life imprisonment when the convict was found to be pregnant.

And so it went, it was not uncommon for months or even a year to go by without a single woman standing trial. Of course, females in Hong Kong were just 30 per cent of the population in the mid-1850s, and 42 per cent by the 1930s. Throughout this period, they rarely accounted for more than 5 per cent of the defendants at the magistracy. In the 19th century, aside from all those brought in for petty offences, women were usually there to answer charges that involved cruelty towards or mistreatment of other women or children.

Little has been written about the lives of ordinary women, whether Chinese or foreign, in Hong Kong at that time. It is through accounts of their appearances at court, in cases skewed far from their favour, that we first learn of these women's concerns and relationships.

And even to this limited degree, it is only thanks to the newspapers of the day. Most of the court transcripts of the period have been destroyed. ■

Excerpted from Women, Crime and the Courts: Hong Kong 1841-1941 (Blacksmith Books).