

A Story from the Adelaide Gaol

The Cess Pit Murder – Mah Poo (Bark Bow, Muck Poo)

Adelaide, South Australia 1883

In the early hours one August morning in 1883, three men cleaning out a cess pool (toilet) at the rear of the City Hotel in Hindley Street, Adelaide, were surprised to find the body of a man in the pool. On closer inspection the body was seen to be that of a Chinese male.

One of the workmen left the rear yard and ran to King William Street where he met a patrolling constable. The constable went to the rear yard and examined the body. He and the workmen then removed the body from the pit.

Doctor Clindening, a city doctor, was sent for. On his arrival he identified the body as being Tommy Ah Fook, a Hindley Street cafe owner.

Tommy's head had been bashed in. Further inspection of the body revealed he had been shot. Foul play was immediately evident.

Tommy had been missing for a week. Detective Bartchell went to Tommy's Hindley Street cafe where he questioned the three occupants of the cafe, two Chinese men, Way Yung and Mah Poo, and a European sailor named William Coop. All three were arrested on suspicion.

On August 15th, the City Coroner, Mr T. Ward opened an Inquest at the Destitute Asylum into the death of Tommy Ah Fook. Various witnesses told the inquest that Tommy was married to an English girl but had been separated for some time, and was now living at the cafe along with the three men who were in custody.

One witness, You Ting Lee, told the inquest that during the week that Tommy disappeared he had seen Mah Poo wearing a gold pin belonging to Tommy.

William Coop said he was a sailor and in between ships was working at Tommy's cafe. Mah Poo was a cook and Way Yung helped with the chores. All three of lived and worked at the cafe.

You Ting Lee had asked Mah Poo the previous week where Tommy was. Poo replied that Tommy had gone away, he did not know where. Way Yung stated that one morning during the previous week Poo had woken him telling him to get up as he could not find Tommy and he told him to open the shop.

Poo came into the café dressed in a suit. He seemed to have taken Tommy's place, acting the part of the manager.

The inquest was told that prior to his disappearance, Tommy and Poo had had an argument. Tommy told Poo he was no good and Poo replied he would pack up and go to Sydney.

Further enquiries revealed that Poo had bought a revolver and later that week he had opened a bank account in the name of J. Bing.

The revolver was found in Light Square lying in the grass, by two boys. Police traced it back to Poo.

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At the conclusion of the enquiry the jury returned a verdict that Poo had to answer to a charge of murder. Mah Poo, William Coop and Way Yung were committed for trial.

At the first sitting no evidence was found to connect Coop and Yung to the death of Tommy Ah Fook and they were discharged.

Mah Poo's trial began in October. Charged with murder, he pleaded not guilty.

The Crown Solicitor, Mr Mann, and Mr Harold Downer prosecuted for the Crown. Mr Pater and Mr Whittle appeared for Poo. Mr Mann opened the case telling the jury where the body had been found, and events before and after the body was found.

The whole of the case was circumstantial, but a strong one.

Nobody saw the murder being committed, circumstantial evidence was sometimes erroneous, but at other times it was the most satisfactory evidence that could be produced.

Poo had been seen carrying a bundle of clothes from the shop, and what appeared to be blood stains were seen on a shirt sleeve in the bundle of clothes and on Poo's hat.

The bank account opened by Poo in another name, and Poo buying a gun. The gun, which had been found in Light Square after the body of Tommy had been found, had been traced back to Poo who had bought it from a Hindley street pawnbroker, prior to the murder.

Whilst the trial was under way it was found that one of the jurors was 'deranged' so the jury was discharged and a new jury sworn in. The trial began again.

Tommy's cafe was reputed to take in about 20 pounds a week. Poo had opened a bank account in a false name after Tommy's disappearance. Poo had been seen wearing Tommy's gold pin. The revolver found was tested by a chemist who stated that there were likely blood stains mixed with rust on the revolver.

It was stated that prior to the body being founds Poo told Tommy's wife who lived away from the cafe that Tommy owed him 13 pounds in wages. Poo had a warrant issued against Tommy for the amount. Other witnesses related to the court the questions they had put to Poo about Tommy being missing and the answers they got from him.

Mr Whittle, the Defence Counsel, told the jury that it was possible that Poo opened the bank account in the name of Bing and deposited his saved earnings in it so his fellow countrymen would not ask for any of it.

Mr Whittle also pointed out that alongside the cafe was a shooting gallery. It was possible that a stray shot had hit Tommy as he was about to enter the closet and fell hitting his head and falling into the cess pit. The police examined the shooting gallery and advised that a stray shot could not have come from the gallery.

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Mr Whittle pointed out that on the first morning of Tommy's absence Poo had assumed the running of the cafe as Tommy could not be found and someone had to tend to the business. Tommy, the night before his absence, was seen in the company of a woman. If she was found, she might be able to relate information on Tommy's movements that night, also that he would not suggest that the deceased had committed suicide. As for Poo being seen wearing Tommy's gold pin, it could have been innocently borrowed.

The judge summed up the trial which had been running for several days, telling the jury they must calmly examine all the facts and circumstances. The jurors retired and returned 12 minutes later.

The verdict - Poo was guilty of murder.

Having nothing to say, Poo was sentenced to death by hanging and removed to Adelaide Gaol.

Mah Poo waited out his execution date at Adelaide Gaol in the condemned cell.

At first he would not eat and developed a sulky attitude. He was visited constantly by the City Missionary, Mr Berry.

At one stage he lay on his bed and told the Keeper, Mr Howell, that he would not walk. Mr Howell told him they would carry him. Mah Poo jumped up and said "No, me can walk. You no carry me".

The day before his execution he wrote a confession admitting to killing Tommy and that he acted alone, no one else was involved. Tommy was always threatening him and was never satisfied with his work.

Poo asked permission to wear his suit on the morning of his execution. This request was granted.

At 8.00am on his final morning he emerged from his cell. His leg irons were removed, then, accompanied by officials, he walked the 400 yards to the gallows that had been erected the night before in the north-west laneway of the gaol.

Poo ascended the steps accompanied by Mr Berry and Mr Manson from the City Mission. Prayers were recited, the executioner made his arrangements, the lever was pulled and Mah Poo's body dropped 3 feet 6 inches. After hanging for one hour the body was removed and an Inquest was held.

Ma Poo's body was later buried in the northern lane area of the gaol. His initials and date of execution were marked on the wall.

Prior to Mah Poo working for Tommy, he had arrived in Melbourne 10 years previously at the age of 16, arriving in Adelaide in 1877.

He was caught stealing and sent to prison for 3 years. He learnt to read and write English while in prison. He had no relations in this country and few if any friends. His trial received a generous amount of news coverage, it being stated that he came from one of the most barbaric provinces in China.

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During October, one Adelaide paper ran a series of articles about a reporter's visits to Adelaide's Chinese quarters in the west end of Hindley Street and Light Square and the adjoining side streets. The story was entitled 'The Chinese by Night'. He concluded that some establishments were occupied for the purpose of smoking opium pipes, but generally were kept clean and tidy, better than some of the houses in the side streets further east running off Hindley Street.

Mah Poo was the last person to be executed on the portable scaffold. A gallows in the cell block on the southern side of the gaol was used from 1894 until 1950.

In 1953 one of the watch towers was converted to hold the gallows and used until 1964.

The portable gallows was dismantled, the parts were numbered, then they were shipped to the Northern Territory for use in 1885.

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