

Wai Hai Lee

Chinese Detective (1910-1915)

By John Burchill, President, Winnipeg Police Museum

City of Winnipeg Police Department

APPLICATION FORM

WINNIPEG, 24th January 1915

TO THE CHIEF CONSTABLE,
WINNIPEG CITY POLICE

STR:— Attached hereto please find my application for position as Constable on the
Winnipeg City Police:—

Name (in full) Lee Hai

Age (last birthday) 40 Date of Birth 26th June 1874

Height 5ft 8ⁱⁿ Weight 140 lbs

Nationality Chinese Place of Birth Canton China

Chest Measurement 35 1/2 Married or Single Married

Religion Presbyterian Standard of Education

Previous Police Service (if any) Special Const. Winnipeg Police since 2/6/10
(Give length of service and name of force)

Military or Naval Service Nil
(Give length of service, name of corps or ship)

Previous Occupations Laundry man

Trade or Profession

Last Employer Winnipeg Police Department

References

Have you ever been convicted of any offence of a criminal nature? No.

Lee Hai
Signature of Applicant.

NOTE.—All applications must be filled out in the handwriting of the applicant, and be addressed to the CHIEF CONSTABLE, CENTRAL POLICE STATION, WINNIPEG, properly signed and dated, where applicants must attend personally for approval. They are also required to pass a medical examination by the Police Surgeon as to their physical capabilities to perform the duties of a Constable. Failure to pass same will disqualify them. Certificates from Medical Practitioners other than the Police Surgeon will not be recognized.

POLICE SURGEON'S REPORT:—

DISPOSITION OF APPLICATION:—

For Asian Heritage month I chose to look at the first Chinese detective of note hired by the Winnipeg Police.

Wai Hai Lee, better known as Lee Hai was born near Canton, China, on June 26, 1874. Likely he was from the Sunning District (Taishan/Toishan as it was later called), where a combination of successive droughts, earthquakes, epidemics, and uprisings made immigration to Canada very attractive. This general area, near the mouth of the Pearl River, was also home to the British Crown Colony of Hong Kong and the Portuguese Colony of Macau (Macao).¹

Nothing is known of Lee's early life in China, and any family records that may have existed were likely destroyed during China's Cultural Revolution in the 1960s. However, we do know that Lee came to Canada in 1899, landing in Vancouver before moving to Sault Ste. Marie, then Kenora, and finally settling in Winnipeg around 1906. He was married, but his wife remained behind in China. The cost of

travelling to Canada and paying the required \$50 "head tax" upon landing in 1899, made bringing his family financially impossible.

The Lees and the Wongs were the dominant clans in the Winnipeg region at the time. Many Winnipeg Chinese could trace their ancestry largely to this area of the Kwangtung Province (alternately romanized as Canton Province, now Guangdong) near the village of Chen Shan Tsun. It has been said that of the 600 Chinese immigrants from the area who came to Canada, 400 settled in Winnipeg.

The majority of these people were surnamed Lee, and a Lee Clan (Benevolent) Association was established to look after the welfare of their fellow countrymen.²

¹ I would like to thank Professor Alison R. Marshall, Brandon University, as I found both her personally and her books "The Way of the Bachelor: Early Chinese Settlement in Manitoba" and "Cultivating Collections: The Making of Chinese Prairie Canada" helpful in understanding Chinese immigration in Manitoba.

² Traditionally, Chinese given names are structured by a two-character pattern. The first part is the generation name that is shared by all members of a generation, and the last character is given to the individual person. The reason Chinese people write their surname first is to show respect to the ancestors. As such Lee Hai would be Hai Lee, with Lee being the surname, although he would use Lee Hai in respect of his ancestors.

In the 1906 census, Manitoba had a Chinese population of just 543 – almost exclusively male, 358 of whom lived in the Winnipeg area. Of those living in Winnipeg 96 had the surname of Lee; 38 had the first name of Lee, and one had both. By 1911 the census showed there were 858 Chinese in Manitoba with 596 living in Winnipeg (80 had the surname Lee; 93 had the first name of Lee, and one had both). In contrast to Manitoba, British Columbia had 17,561 Chinese-born individuals.



Winnipeg Tribune, January 28, 1910

For much of Canada's early history, only those with money or work contracts could afford the ocean travel and \$50 head tax required to be paid by all Chinese immigrants upon entry to Canada under the 1885 *Chinese Immigration Act*, S.C. c. 71 (not including any departure or exit tax the Chinese government may have levied). Therefore most wives and children remained in China while brothers, fathers, grandfathers and uncles worked in Canada and sent remittances home.

Had Lee come to Canada one year later, the head tax would have been \$100. By 1903, it stood at \$500. By 1908, even if he had the tax money, the federal government passed an Order in Council on June 3 singling out "Asiatic immigrants", requiring them to be in possession of an additional \$200 spending money at the time of entry. The accompanying explanatory note indicated that "*Canada is looking primarily for immigrants of an agricultural class to occupy vacant lands, and as immigrants from Asia belong as a rule to laboring classes, and their language and mode of life render them unsuited for settlement in Canada where there are no colonies of their own people to insure their maintenance in case of their inability to secure employment, it is necessary that provision be made so that such immigrants may be possessed of sufficient money to make them temporarily independent of unfavorable industrial conditions when coming into Canada*".

While Manitoba offered a much friendlier atmosphere than some other provinces, the Chinese were still viewed with suspicion or considered undesirable as citizens in some areas. They looked different, had different customs, dress, language, manners and habits from other (European) immigrants. Their bachelorhood posed a threat to morals and perhaps racial purity. In 1913, following the example of Saskatchewan, the Manitoba Legislature passed an Act to prevent the employment of female labour in certain capacities (1913 SM c. 19). This Act stated:

- 1. No person shall employ in any capacity any white woman or girl, or permit any white woman or girl to reside or lodge in, or to work in, or, save as a bona fide customer in a public apartment thereof only, to frequent any restaurant, laundry or other place of business or amusement owned, kept or managed by any Japanese, Chinaman or other Oriental person.*
- 2. Any employer guilty of any contravention or violation of this Act shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars, and, in default of payment, to imprisonment for a term not exceeding two months.*

While the Act was never proclaimed in force and was eventually repealed as obsolete in 1940, it is indicative of the times and the burden often imposed on Asian immigrants.

Immigration to Canada was effectively stopped for all Chinese from 1923 to 1947 when the *Chinese Immigration Act of 1923* excluded all Chinese immigrants except merchants, students, and diplomats and their staff. Between the years 1923 and 1947, only 44 Chinese were admitted to Canada compared to the 62,369 who entered between 1885 and 1923. While “merchants” continued to be an admissible class (although their wives and children were not), the government’s definition of “merchant” was so narrow that only eight individuals managed to attain entry in this manner until the repeal of the *Chinese Immigration Act* in 1947. ³

After 1923, all people in Canada of Chinese descent whether they were born here or not were also required to register with the federal government within twelve months or face a hefty fine and possible imprisonment.

With such strict immigration laws, Chinese women and children were largely absent from the Manitoba landscape until long after 1947. Some of the men who immigrated prior to 1923 never married. Some never returned to China due to the cost of travel but also feared being denied re-entry on their return. In fact, the *Chinese Immigration Act of 1923* provided that failure to return within the specified period completely forfeited the Chinese person’s right to re-enter Canada. As such most Chinese men in Manitoba spent their lives here as bachelors, never re-connecting with wives, mothers or children before they died. ⁴

Because Chinese-Canadians were barred from citizenship until 1947, they were also barred from professions that required one to be a citizen (or, at that time, a British subject living in Canada). These professions, depending on the province they were from, included pharmacy, law, teaching and politics. By the late 1940s and 1950s, these professions were opening up for Chinese-Canadians. ⁵

A few Chinese men remarried and started new families. For the rest, the repeal of the *Chinese Immigration Act* in 1947, on the eve of the United Nations’ adoption of the Declaration on Human Rights, came too late for them and their families. However, even with the repeal of the *Chinese Immigration Act* in 1947, an Order in Council passed in September 1930 (P.C. 2115) remained in force, prohibiting the landing in Canada of any immigrants of any Asiatic race except for the wives or unmarried children less than 18 years of age of “Canadian citizens”. According to then Prime Minister Mackenzie King:

³ Merchants, as used in the Immigration Act was did “*not include any person who does not devote his undivided attention to mercantile pursuits and who has less than \$2,500 invested in a business dealing exclusively in goods grown, produced or manufactured in China or in exporting to China goods grown, produced or manufactured in Canada, and who has not conducted such business for a period of at least three years; any merchant’s clerk or other employee; tailor; mechanic; huckster; peddler or person engaged in taking, drying or otherwise conserving fish for home consumption or exportation, or having any connexion whatever with a restaurant, laundry or rooming house*” (P.C. 1276, 10 July 1923, s.5(c)).

⁴ According to the 1941 census there were 29,033 Chinese men in Canada, over 80% of whom were married with wives and children left behind in China.

⁵ For example, Kew Dock Yip was the first lawyer of Asian heritage in Canada. He was one of 23 children of a wealthy Vancouver merchant born in China. Yip was very well-educated, studying at Columbia University, the University of Michigan, and the University of British Columbia before settling on law as a career. Because “Orientals” were excluded from membership in the Law Society of British Columbia, Yip moved to Ontario, graduating from Osgoode Hall Law School in 1945.

The people of Canada do not wish to make a fundamental alteration in the character of their population through mass immigration. The government is opposed to large scale immigration from the Orient which would certainly give rise to social and economic problems, which might lead to serious international difficulties. The government has no intention of changing the regulations governing Asiatic immigration 'unless and until alternative measures of effective control have been worked out.

Order-in-Council P.C. 2115 remained in force until 1957 when it was finally rescinded and Asiatic immigrants could apply for relatives to come to Canada before acquiring Canadian citizenship. Following the passage of the *Canadian Bill of Rights* in 1960, Order in Council P.C. 1962-86 provided a more objective assessment of an immigrant based on their education, training, skills, and other special qualifications rather than on race and nationality. The same regulation also allowed for the admission of the parent, grandparent, husband, wife or fiancé, or the unmarried children less than 21 years of age of a Canadian citizen or of an individual legally admitted to Canada for permanent residence. However, it wasn't until 1967 that immigration restrictions based on race and national origin were finally removed. Chinese immigrants could now apply for entry on equal footing with other applicants.

The foregoing background is important in setting the stage for the lack of Chinese police officers in the early years of the Winnipeg Police, and indeed most police departments, until the late 20th Century when barriers on Chinese immigration and citizenship were removed.

In Winnipeg, there appear to be three driving factors in hiring its first Chinese Detective in 1910. The first, but perhaps least important would be the increase in the Chinese population and some knowledge and understanding of the language and culture. The second would be four murders of Chinese businessmen in 1907 and 1908, which are still unsolved to this day; and the third would be the growing formation of a Chinatown in central Winnipeg and the need to "*eradicate it*" before the "*outrages on morality*" such gambling and opium-smoking seen in other cities set in.

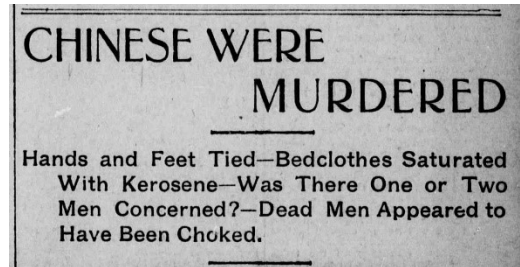
Around 1910 the Winnipeg Police began hiring a few individuals with a background in the growing immigrant communities they served. Officers that could speak Italian, Russian, Romanian, Ukrainian, any one of the Scandinavian languages, were hired as detectives.

The first Chinese officer hired was Gong Jung, on May 13, 1910. He lasted only 20 days until June 2, 1910, when he left due to "cold feet". His replacement on June 2, 1910, was Wai Hai Lee, who signed for Jung's equipment – including his badge #151, rules and regulations, handcuffs and "Insp. Robertson's gun". At the time, Inspector Alfred Robertson was in charge of the Detective Branch and he likely gave Lee his gun for his safety.

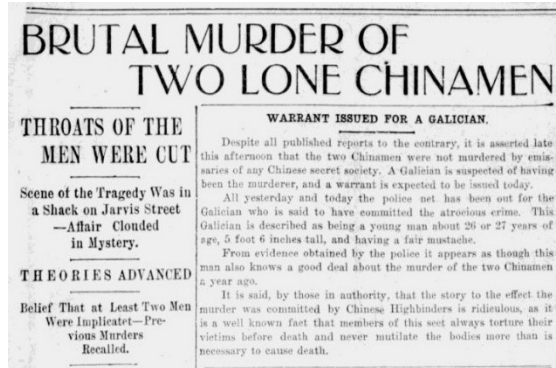
Jung's cold feet were less due to Winnipeg's weather, and more due to the fact that he was the recipient of several public death threats after he worked with the police to infiltrate two illegal gambling dens shortly after his appointment. His work led to the arrest of several dozen Chinese men at 45 Arthur Street and 223 Alexander Avenue. The cases were disposed of on June 1, 1910, before Judge Thomas Mayne Daly. Jung handed in his equipment to Lee the following day.

As Jung took the death threats seriously and sought the protection of the court, his fears may have been well-founded within the small Chinese community.

On December 13, 1907, the Chinese community was rocked by the double homicide of 35-year old Lee Chow and 25-year old Look Wing at their laundry shop at 48 Salter Street. Both men were apparently tied up and assaulted with an axe and meat cleaver before their business was set on fire. No suspects were identified and the murders remain unsolved.



Winnipeg Free Press, December 14, 1907



Winnipeg Tribune, December 21, 1908

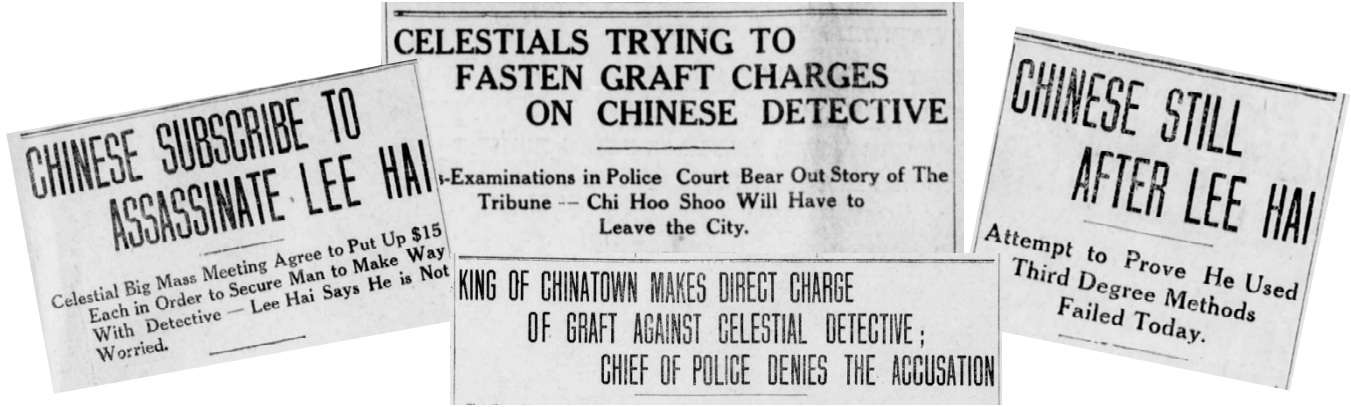
Almost a year to the day the Chinese community was rocked by another double homicide when 44-year old Kong Pow and 47-year old Chang Lung were found murdered on December 19, 1908, at their laundry shop at 214 Jarvis Avenue. They had also been hacked with an axe and their throats cut by a knife. No suspects were identified and the murders remain unsolved.

Both of these locations are outside of what we know as Chinatown today, which is contained within a four-block area bounded by Main Street in the east, Princess Street in the west, Rupert Avenue in the south, and Alexander Avenue in the north, with King Street running north-south and Pacific Avenue east-west in between. However, this area didn't start developing as Chinatown until after the murders.

Due to immigration restrictions, racism, and economic oppression, most Chinese men were forced to live apart from white society and tended to segregate themselves in largely self-sufficient areas. In the beginning, these areas grew out of a necessity for defence and protection in face of the oppression and persecution, relying on their shared cultural background for mutual assistance, interdependence and group solidarity. These self-sufficient areas, which provided basic necessities, services and social interaction for their members, became known as Chinatowns.



Winnipeg Police, Detective Branch - St Johns Park, 1912. Lee Hai, front row fourth from right



Gambling was one of the social aspects of a bachelor's life in Chinatown. Paigow, Fan-Tan, Mahjong, and 1-2-3 were favorite games. However, these "outrages on morality" caught the attention of the police and occasional raids followed with charges under section 228 or 229 of the *Criminal Code* for either operating a common gaming house or being "found in" a common gaming house. Often the charges were dropped against the players and only the operators were convicted. Winnipeg Police Detective Lee Hai was regularly in the Winnipeg newspapers as a witness against other Chinese who were running illegal gambling dens.

THE DEPARTMENT OF THE INTERIOR.
CHINESE IMMIGRATION BRANCH.

C. I. 9 No. 29436
NOV 12 1915 191

To the Controller of Chinese Immigration,
Port of VICTORIA, B. C.

I hereby give notice that I desire to leave Canada with the intention of returning thereto. I propose to sail or depart from VICTORIA, B. C. for HONG KONG on the S. S. IXION day of NOV 12 1915 191. I intend to return to Canada at the port of.

I request registration and I attach my photograph hereto and give the following information for the purpose of my identification on my return.

My proper name is Lee Hai
I am sometimes known as Lee Hai Hai
I first came to Canada in the year 1899
My place of residence in Canada is Winnipeg Man
Where I have resided since the year 8 yrs
Certificate of Registration Form No. 28 12629
My present occupation is that of Detective
My place of birth was Sun Chum
My present age is 40
Height 5 feet 6 1/2 inches.
Facial marks or other peculiarities:—
M on Chin
M. R. Jaw
S. Top Head

I am personally known to Leung Yee and Lee Man both of VICTORIA, B. C. to whom I would refer you for correctness of statements herein made.
李錦禧 (Signature of Chinese Person)

I have personally examined the person of Chinese origin who claims to be the person above described and whose photograph is affixed hereto (2), who returned to Canada on the day of JUN 20 1917 191, and declare him to be the same person.
M. R. Jones (Inspector)
Dated at VICTORIA, B. C. JUN 20 1917 191

Particulars and photograph of person who, compared with applicant and approved by me this day.
M. R. Jones (Inspector)
Dated at VICTORIA, B. C. NOV 12 1915

李錦禧

As a result Lee often faced their wrath, being the subject of veiled death threats, false allegations of corruption and graft, assault and bribery. Lee, however, generally had the support of the Chief of Police and Inspector William Eddie, who had replaced Alfred Robertson as the head of the Morality Department in late 1910.

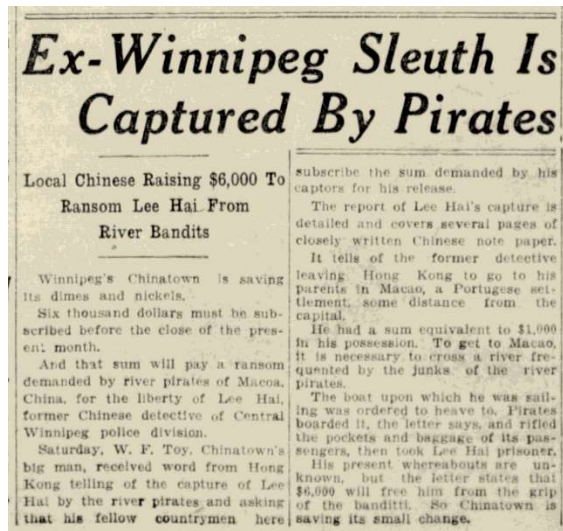
After four years working as a detective for the Morality Department, Lee applied for a transfer to a Constable Interpreter position on January 27, 1915. His application was confirmed by the Winnipeg Police Commission effective February 1, 1915, at a salary of \$75/month (this was about mid-range for constables on the Winnipeg Police at the time). Lee listed his address as 381 Graham Avenue on his application, although the Henderson Street Directory listed his address as 161 Smith Street.

On November 1, 1915, Lee requested a one-year leave of absence to return to China. Presumably, the trip was to see his wife, although the purpose was not disclosed to the Police Commission. The request was granted and on November 12, 1915, Lee boarded a ship leaving Victoria, British Columbia, for Hong Kong.

On August 21, 1916 information was received that Lee had been captured by Macao River Pirates and held for ransom. Lee, who had left Hong Kong to see his parents in Macao, was captured as his boat crossed the Pearl River. Pirates boarded, searched passengers and luggage and took hostages. The Pirates demanded \$6000 ransom according to a letter read by W.F. (Wong) Toy, Chinatown's "Big Man".

At the time piracy flourished along the South China coast. The most devastating of these attacks came in 1914 when the SS Tai On was ransacked by pirates who had attempted to seize the ship in the Pearl River estuary on April 27, 1914. The attackers, who posed as passengers, set the vessel ablaze when officers, crew and two Portuguese guards refused to surrender during a gun battle.

At least 300 people died. The death toll was one of the highest in the long history of piracy off China's coast. The fire forced the passengers, crew and pirates to leap overboard; 165 people, including some believed to be pirates who had disposed of their weapons, were picked up by rescuers.



Winnipeg Tribune, August 21, 1916

No further information was received about Lee until April 7, 1917, when letters sent by Lee from St. Stephen's College in Hong Kong were read to the public by Deputy Chief Chris Newton, Inspector George Smith and William Eddie. "I have just been freed" stated Lee. "As you know, I was captured by Cantonese pirates last July. They held me for many months. When they could get no ransom they let me go. But in the months I was in captivity I was subjected to cruel treatment. I am still sore from the beatings they gave me. I leave for Canada almost immediately".

Unfortunately for Lee, who had overstayed his leave of absence by well over six months, was not taken back on strength with the Winnipeg Police. Lee was not replaced and due to later immigration restrictions, it would be another 60 years before another Chinese or biracial Chinese officer, Tommy Mah #1127, was hired by the Winnipeg Police in 1977.

On June 20, 1918, Lee returned to Hong Kong but was back in Canada again on July 19, 1920.

There is no record of Lee's whereabouts again until September 17, 1933, when he was arrested in a gambling house raid by his old boss, Inspector Eddie and Constables Bazen, Cleghorn, Robson, and Alexander. A total of 27 people were arrested and Lee was charged with conducting a lottery and keeping a common betting house. Lee gave his address as Room 2, Coronation Block, 238 King Street. ⁶



Inspector William Eddie

⁶ While the second City Hall was being constructed in 1883-1886, the Mayor and council took up residence in the Coronation Block, which some readers might remember served as the home for the Shanghai Restaurant until 1912 when it was torn

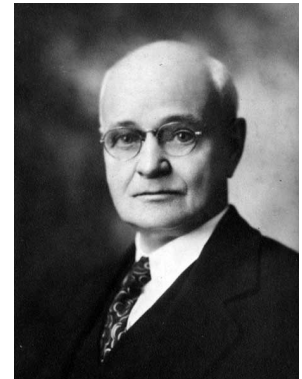
Lee was co-charged with Harry Yee and Lee Chu. The nationality of some of the “found-ins” included Belgian, Norwegian, Danish, German, and French Canadian. Lee pled guilty on September 20, 1933, and received a \$100 fine or 2 months in jail. Charges were dropped against the “found ins”.

Lee was caught up in a second raid led by Inspector Eddie on November 2, 1934, at 249 King Street. Lee was again charged with keeping a common gaming house along with Lee Sam and Asger Lutgemeier, a Danish labourer. A total of 15 players were charged with being “found ins”.

The trio was hosting a game called “1, 2, 3”, where coins are placed on painted columns on a table. These columns are numbered 1, 2, 3. After the stakes have been placed, an envelope is opened, and a ticket with a number on it is taken out. If that number is 3, all who have placed their coins on 3 get three times the amount of their stake, and the banker takes what is on 1 and 2. If 2 or 1 is the winning number, the winners get paid accordingly and the banker takes the money of the unsuccessful guessers.

The allegation was that Lee looked after the board, the placing of the stakes, and the payment of the winners; the losses of the other players went into his pocket. Lee Sam attended to the envelopes which he brought from time to time from another room. Lutgemeier acted as doorkeeper or sentry and was placed at an observation post where he scrutinized all applicants for admission before permitting them to enter.

All of the charges were stayed on December 12, 1934, before Police Magistrate Robert Blackwood Graham. Lee was represented by Lewis St. George Stubbs who, until the previous year, had been a county court judge in Winnipeg before he was dismissed from the bench for “judicial misbehaviour”.⁷ Although Eddie had been acting pursuant to a search warrant, Stubbs argued that the warrant had actually been issued to the Chief of Police (not Eddie), who was not present when it was executed. In addition, Stubbs argued Lee should not have been arrested but summonsed, and further that the police had been overzealous in their execution of the warrant by smashing down



Lewis St. George Stubbs

doors, partitions, furniture and fixtures with an axe, sledgehammer and pinch bar.

After the charges were stayed Inspector Eddie immediately re-laid the charge against Lee, Sam and Lutgemeier but used different offence dates (October 1 to November 2, 1934). In addition, he proceeded by summons. None of the “found ins” were re-charged, but would instead be used as witnesses for the prosecution. A court date was set for December 19, 1934.

In the meantime, Lee filed his own charges against Inspector Eddie and Constables Hughes, Bazen, Cleghorn, Clarke, Simmons, Alexander and Robson for wilfully damaging

down. Originally named the Robert Block, the named changed to the Coronation Block after the Coronation of Edward VII in 1902.

⁷ Stubbs’ “misbehaviour” was likely his unpopular views that justice be dispensed by an independent judiciary to both rich and poor without distinction. He was later elected an MLA, holding office from 1937-1949.

his property at 249 King Street. Having a warrant, valid or not said Stubbs, did not empower the police to trash Lee's place. The charges were put over to December 24, 1934, by Magistrate T. J. Murray and eventually dismissed.

Lee's re-trial on the gambling charges went ahead as scheduled. While Stubbs tried to have the evidence seized on December 2, 1934, excluded as evidence, Magistrate Graham found Lee guilty as charged. Lee subsequently appealed his conviction to the Manitoba Court of Appeal on March 25, 1935. Appeal Judges Dennistoun, Trueman, and Richards upheld the conviction, noting that illegally obtained evidence is still admissible. Judge Robson would have acquitted Lee on the grounds that the trial was nothing more than a continuation of the same proceedings that had already been stayed.⁸

During his testimony, Lee indicated that the doors at 249 King Street had been heavily fortified because he was afraid of robbers. While this is unlikely, Sam Wong was gunned down on November 4, 1931, the victim of a gang gambling turf-war in Chinatown.

Wong was shot as he was walking home from the Nan King Restaurant (located on the east side of King Street between Logan and Alexander avenues) with friends Toy Mon and Lee Shu. A .38-calibre bullet passed through Wong's abdomen, one bullet went through Toy Mon's cap and then through Lee Shu's clothing. Wong was rushed to the Winnipeg General Hospital where he died the next day. A reward was issued for Wong's killer; however it remains unsolved to this day.



Coronation Block, 238 King Street

Lee was arrested one final time on April 27, 1936, with Pang Lee and Carl Peterson for running another gaming house at 215 Logan Avenue. Lee was now 61 years old and living in Room 24 Coronation Block. He pled guilty on May 19, 1936, and received a fine of \$50 or 1 month in jail.

Lee's name never appears again in the local newspapers, obituaries or the police arrest ledgers.

When Lee was arrested by the Winnipeg Police he still indicated he was married, so perhaps he returned one more time to China where he died?

Hopefully, someone reading this today will have some additional insight into Lee Hai, or Hai Lee, or Wai Hai Lee, which might help us know what happened to him today.

⁸ *R. v. Lee Hai, et al*, (1935) 43 Man R. 134 (C.A.).