



PROJECT MUSE®

Class, White Women, and Elite Asian Men in British Courts
during the Late Nineteenth Century

Nurfadzilah Yahaya

Journal of Women's History, Volume 31, Number 2, Summer 2019, pp. 101-123
(Article)

Published by Johns Hopkins University Press



➔ For additional information about this article

<https://muse.jhu.edu/article/726985>

CLASS, WHITE WOMEN, AND ELITE ASIAN MEN IN BRITISH COURTS DURING THE LATE NINETEENTH CENTURY

Nurfadzilah Yahaya

British imperial politics was profoundly affected by class alongside gender and race. This article probes how legal courts situated white women who were involved in interracial relationships with powerful Asian men from the perspective of law and press reports of two cases during the period of high empire in the late nineteenth century. These cases occurred in the metropolitan imperial cities of London and Singapore that highly valued merchants' and foreign rulers' contributions to imperial coffers. Class ultimately played a huge factor in the outcome of both cases, which involved two prominent men whose wealth, fame, and high status made their subordinate status within the British Empire ambiguous. Reports of trial proceedings demonstrate that class tended to unsettle notions of "whiteness," "subjecthood," and "jurisdiction." This meant that the colonial elite formed an unstable category that was highly complex, flexible, and, as a result, potentially fragile.

On a cold, dark, rainy night in October 1885, Jenny Mighell from Brighton was strolling along the River Thames in London with her fiancé, Albert Baker. They passed another man who doffed his cap at the latter while addressing him as "Your Highness." Jenny Mighell thus discovered the true identity of the man she was about to marry. He was far from being an ordinary visitor to England; in fact, he was the sovereign ruler of the state of Johore at the southern tip of the Straits of Malacca, located nearly seven thousand miles away in Southeast Asia. Outside of England, Albert Baker was better known by his real name and newly acquired title, Sultan Abu Bakar.¹ Despite Albert Baker's deception, Jenny Mighell continued her engagement. Five years later when he broke off his engagement to her, she sued him in London for breach of promise of marriage for ten thousand British pounds and a diamond buckle she had given him.² The high-profile case later set the legal precedent for the determination of independent sovereignty in British courts.

By focusing on European women's strategies for self-preservation vis-à-vis powerful Asian men and the colonial elite, this article examines the links between gender, race, class, and patriarchy.³ These elements are relationally constituted and should therefore be studied within the same frame.⁴ How did European women who entered into relationships with

prominent Asian men fare in legal courts when they requested compensation after these relationships ended badly?⁵ How were they represented in legal courts and public press? What was the value of the female voice of authority in colonial legal arenas during the nineteenth century? Colonial racial subjectivities were especially gendered because women's identities were determined by who they kept company with—their spouses, children, and friends.⁶ Who they socialized with determined their place in the social and racial hierarchies in the colonies. The status of women was unstable and precarious, dependent on the identities of their marital partners, including potential ones, as well as their lineage and outward behavior. By focusing on two cases that involved white women and influential nonwhite men, this article demonstrates how another factor further destabilizes women's subjectivity in line with what Simone de Beauvoir argues—that women's identities were always tied to marriage.⁷ The status of women was affected by who abrogated a promise of marriage, which rendered them less respectable than if they had been married. Indeed, reportage on the women involved in the two cases examined, however intriguing and titillating to their contemporaries at the time, stopped abruptly when the cases ended, almost as if their narrative possibilities were limited to marriage/nonmarriage in the public imagination, which could not therefore accommodate their lives in their entirety.

Both cases were brought to trial at about the same time in London and the British Crown Colony of Singapore during the period of "high empire" as British authorities shifted from liberal efforts at civilizing and creative reform in favor of protecting and conserving native society.⁸ Both cities were not simply defined by a common imperial sovereign but also more crucially by mobility of people seeking financial gain and social opportunity. Both cities were also immensely diverse and cosmopolitan although one was the imperial center and the other was a Crown colony.⁹ Similar larger processes were at work, influenced by ideas that were being developed during the late nineteenth century. Victorian social discourse used disparate, often conflicting, images of women as the territory over which to range in its efforts to resolve or repress various kinds of class tensions.¹⁰ Victorian ideologies, and by extension imperial ideologies, concerning historical constructions of gender were uneven and subjected to historical contingencies. The dominant code of Victorian manliness emphasized self-control, hard work, and independence associated with professional and business classes.¹¹ White women triggered a protective impulse amongst the government elite but not necessarily to their advantage. Although there was widespread anxiety across the British Empire about white women having sexual relations with nonwhite men, cases involving these women reveal that they were rarely offered the protections of imperial authorities.¹² In both cases examined in

this article, the male defendants' economic stature proved to be the deciding factor for support.

Imperial frameworks consisted of such diverse mandates as racism and patriarchy, and colonial societies could choose between these equally powerful discourses. Male gender domination and patriarchal social structures were certainly affected by law and legal institutions. Legal practitioners and members of press were able to articulate a certain way of thinking. Although interracial sexual relationships were a crucial and constitutive part of early colonial state formation and governance during the eighteenth century, such unions between European men and local women were frowned upon by colonial government authorities by the late nineteenth century.¹³ British imperial attitudes towards mixed-race unions during the late nineteenth century nonetheless remained ambivalent.¹⁴ In the two cases at hand, the male defendants challenged the colonialist/colonized dichotomy due primarily to their class.

Mighell v. Sultan of Johore

Imperial politics easily affected white women who were ensconced in England, not just imperial families spread across oceans and colonies.¹⁵ In August 1885, Jenny Mighell was introduced to Albert Baker who proposed marriage to her shortly afterwards. She was a young lady originally from 20 Devonshire Place in Brighton who came from "a good family" with "a good position in society, gifted with accomplishments of a high order, and of attractive appearance."¹⁶ Two months later, on that fateful night by the Thames in 1885, Jenny Mighell accidentally discovered Albert Baker's real name, title, and royal stature. He made her promise never to reveal the truth or call him anything other than Albert Baker. She not only agreed but also assumed the name of Mrs. Baker in her communications with him. That same month, Albert Baker took a furnished private house in London under that name.¹⁷ He then left England for a few years. In 1888, Abu Bakar obtained British protection and, in return, appointed a British resident in Johore.¹⁸ Upon his return in 1891, he again represented himself as Mr. Baker, a private individual and subject of the Queen of England.

Thus far, scholars have focused on the bon vivant socialite Albert Baker/Abu Bakar who carefully cultivated diplomatic and social relations both at home and abroad, thus securing his status as an independent sovereign, which led to his case being dismissed in British court of law.¹⁹ Scholars of international law have not highlighted the gender prejudice that underpinned the case. The popular press of the day however devoted more attention to the romantic relationship between the two parties, one of whom was part of the London elite as a member of royalty, probably in

order to gain more readership. In 1896, two years after the trial, Lincoln's Inn, one of the Inns of Court in London, included a poem about the case in their publication of laws and cases.²⁰ Three other poems discussed the effects of the high-profile Married Women's Property Act of 1882, while another poem lamented legal difficulties caused by imprecise wording in wills, a perennial problem.²¹ The only other specific legal case put in verse in the publication was a landmark case in international law that determined that English courts had no jurisdiction to entertain actions relating to immoveable property situated abroad.²² Considering that all laws and cases mentioned in the volume affected the British public to a great extent, we can presume that the inclusion of *Mighell v. Sultan of Johore* meant that it too was a widely known event. The text of the poem runs thus:

Jenny Mighell brought an action 'gainst the Sultan of Johore,
And demanded satisfaction for the maiden name she bore.

She declared, as Albert Baker, he had wooed her for his bride,
But he now declined to take her to be consort at his side.

Quoth the Sultan, "Such divinity doth hedge about a King,
That (although there's nothing in it) I need not deny the thing.

"Be it fact or be it fiction that I scrupled not to fool her,
This Court hath not jurisdiction o'er an independent ruler.

Said the Judge, "Your plea has met the plaintiff's case, I don't deny
But your royal status let the Foreign Office certify."

From a Foreign Office clerk a note was sent to say what store
There is set by Abubakar, Maharajah of Johore."

He's a bond fide sovereign, our gracious Queen's ally,
Reigning independent of her and of any feudal tie.

"He has land and naval forces, postal system, and a Court,
Where his delegate discourses law of contract, crime, and tort.

He has founded orders knightly; titles, honours, he bestows.
So remaining yours politely, this epistle here I close."

Then the Judges, after reading the above precise report,
Held that Abubakar's pleading put the plaintiff out of Court.

Say, that like Haroun Al Rasched, he preferred to walk unknown;
"Say, the hapless maid was mashed by his princely form and tone.

Say, he offered lawful wedlock: still he never made submission
To be sued (and that's the deadlock) for his promise's rescission.

By the comity of nations, legal process won't intrude
On men holding kingly stations; they're exempt from being sued.

As to this, law, reason's flower, does not differentiate
A great European power from a petty potentate."

Now a bard of light and leading has bewailed the lost delight
Of the ancient subtle pleading gone into die Ewigkeit.

The question of legal sovereignty rendered Mighell's claims for compensation of secondary importance to arguments about sovereignty strategically determined by imperial policies. If Abu Bakar was indeed an independent sovereign ruler as he claimed to be, he could not be tried in an English court of law. If Johore was determined to be a dependency of Great Britain, however, then Abu Bakar was not an independent ruler and could be tried in an English court of law. According to a treaty signed in December 1885, Johore was a protected state under the protection of Britain. Article five stated that Johore was a protected state because the governor of the Straits Settlements undertook to protect the sultan's territory from "external hostile attacks," and, for that purpose, British officers were to have access at all times to the waters of the state of Johore. According to article six of the treaty, however, the sultan bound himself to several promises to the British colonial government. He promised not to negotiate treaties or enter into any engagement with any foreign state without the consent of the British government. Neither could he send ambassadors to foreign countries. Jenny Mighell's lawyer therefore argued that he had "none of the attributes of sovereignty." However, Abu Bakar's lawyer argued that the ruler's decision to not exercise those rights except in particular ways did not necessarily deprive him of the character of an independent sovereign ruler. Convinced of this argument, the judge granted him the privilege of diplomatic immunity and ruled the court incompetent to try the case of *Mighell v. Sultan of Johore*.

Alsagoff-Gorski Case

The second case took a more sinister turn. On July 17, 1890, seventeen-year-old Marie Gorski, born to an Austrian mother and Polish father, appeared in court before Chief Justice Sir Theodore Thomas Ford and a special jury consisting entirely of European men.²³ She was the key figure in a sordid case of inducement of miscarriage brought against a prominent wealthy

Arab merchant in Singapore named Syed Mohamed Alsagoff and his assistant and manager of his coffee plantation, De Metri Mussabini (sometimes spelt as Di Mitri Mussabini).²⁴ Alsagoff was a prominent fifty-seven-year-old merchant born to a Bugis mother and Arab father in Singapore, known to be "the richest man in Singapore."²⁵ He was also a political power broker in the region with dealings in Java and Palembang.²⁶ He owned several pieces of land in Singapore and was mainly involved in the shipping business as the owner of the Singapore Steamship Company. Religious and charitable endowments established by his grandmother and the rest of his family were beneficial to the colony, something the colonial elite would have valued.²⁷ Both Alsagoff and Mussabini were charged in court for attempting to procure the miscarriage on the person of Marie Gorski by giving her a mixture of cantharides, more commonly known as the Spanish fly, and a fungus known as ergot-on-rye.²⁸ Because of his wealth and mobility, his bail was \$20,000, and while in jail, he was often heavily guarded.²⁹ Despite overwhelming evidence against the defendants, they were subsequently found not guilty in September 1890.

While Jenny Mighell came from an English middle-class background, Marie Gorski was extremely poor, not British, and stranded in the British Crown Colony of Singapore, a port city quickly living up to its moniker "Clapham Junction of the Eastern Seas."³⁰ Poor whites (both British and non-British), the historian Catherine Hall writes, were in danger of being seen as not white enough by the ruling elite, and Marie Gorski and her parents certainly ran this risk.³¹ Even as a non-British woman, however, Marie Gorski continued to represent British imperial anxieties about intimate relations between male colonial subjects and European women. As a result, she received much attention when she solicited help from various European men but subsequently became an outcast for bringing her actions to light and holding Alsagoff accountable. The story of Marie Gorski suggests that gendered and sexualized orders in the colony were truly precarious outside of established formal kinship systems.

Six months before the trial in January 1890, Marie Gorski landed in Singapore after sailing for exactly a month on a steamer from Port Said in Egypt. She was en route to Shanghai with her parents, Matias and Hedwig Gorski, who wanted to establish a restaurant there.³² Prior to their long voyage across the Indian Ocean, Matias was a businessman in Cairo and Alexandria where he owned twelve horses, twenty carriages, and several cases of harness.³³ He was also the sole agent in Cairo for a firm in Vienna. Before coming to Egypt, the family had lived in Istanbul, Paris, and Munich. After losing his money in a business venture, Matias decided to try his fortunes in China. Upon his arrival in Singapore, however, he realized that his family did not have sufficient funds to continue further north to

Shanghai and were therefore stranded on the island.³⁴

They approached the French, German, and Austrian consuls to ask for help. Unfortunately, none of the consuls would assist with a cheap passage. The Austrian consul urged the stranded Gorski family to consult an Arab merchant named Alsagoff, an owner of steamships who would likely know of a cheap passage to Shanghai. This request by the Austrian consul was not surprising since Alsagoff had recently financed Abu Bakar's expensive voyages around the world as his creditor.³⁵ Marie thus went to see him with her mother on March 3. The exchange between Marie and Alsagoff occurred in the presence of his acquaintance, a Turkish admiral who was sympathetic to their plight. He wrote a letter on their behalf to the agent of the French merchant shipping company, the *Compagnie des Messageries Maritimes*, to reduce the price of the passage to Shanghai for the sake of the family. The Turkish admiral's request, however, was not met, and the Gorskis returned to their hotel in disappointment.

For his part, Alsagoff continued to keep in contact with the Gorski family. The entire family was invited to dinner two days later, and he sent his own carriage for them. Having done business in Egypt for more than six years, the Gorskis were conversant in Arabic and spoke to Alsagoff primarily in that language.³⁶ On March 5, Alsagoff promised to lend Matias some money to start his business. He suggested that he open a restaurant. The following day, the Gorskis went to his furnished house in Mount Pleasant, which was then vacant. He offered to let them stay at the house for free after discovering that they could not afford their hotel bills, which he was willing to pay. The Gorski family offered their luggage as a security deposit until they could get the money to repay him. He accepted the terms of this arrangement, and they began to stay in his house.

Unfortunately, Matias was unable to start this business right away as he found the colony "unsuitable" for his line of business. Alsagoff then gave Matias a hefty check of \$200 that enabled him to leave Singapore for Bangkok on March 28, where he intended to start a poultry farm.³⁷ After Matias's departure for Bangkok, Alsagoff came to the house on two consecutive Sundays to visit the Gorski women. On both occasions, he was very kind, Hedwig Gorski said, and repeated his offers of assistance to the family.

Marie Gorski, however, had a different story to tell in court.³⁸ She said that when Alsagoff first came to the house during her father's absence, he promised her "lots of things to go and live with him" while her mother was making tea downstairs. Although she was shocked at his words, she said that she could not drive him away since the proposal took place in his house after all. At this point in Marie's testimony on the first day of trial, the magistrate, James Oliver Anthonisz, abruptly interrupted her to suggest that the case had better be taken in chambers, perhaps out of a sense of

chivalry to Marie. It is also possible that he did not want to expose the large audience in court, consisting mainly of Arabs, Malays, and Europeans, to lurid details of the affair.³⁹ He happened to be a part-time merchant himself, as was Alsagoff's lawyer J. G. Davidson, who was associated with the Singapore Tin Mining Company.⁴⁰ Davidson retorted that to hear Marie's testimony in chambers would be "unusual."⁴¹ The magistrate then agreed to hear the evidence in open court.

Marie claimed that, in return for her assent, Alsagoff promised to furnish the house and give her a piano and "the whole lot as her property." She refused his offer initially, but he told her that her parents would be kicked out if she did not comply with his wishes. Marie eventually gave in to Alsagoff's demands for the sake of her parents. At five o'clock that evening, she walked to Alsagoff's house. Upon becoming aware of her absence, her mother looked for her all night on the adjacent plantation without success. The next morning, Marie drove herself back sometime between six and seven o'clock with a small packet in her hand, according to her mother.⁴²

Marie admitted in open court that she had indeed slept with Alsagoff the night of April 6 and three times after, although she could not remember the exact dates. She went to his house alone each time she visited. About a month after their first sexual encounter, accompanied by her mother, she informed him that she was pregnant.⁴³ He said to her, "That's nothing, I will give you some medicine for it, no harm."⁴⁴ Dr. Galloway, his doctor and friend, testified in court that he had indeed recently prescribed Alsagoff's wife ergot-on-rye in excess but claimed he had no direct knowledge of how and whether it was actually administered.⁴⁵ Alsagoff apparently told Marie that by taking it, "the child would go away." Marie told Alsagoff that "with all Christians, that was a great sin and a great crime" and that she did not agree to this arrangement to be "rid of the child." Marie described how on May 11, he discreetly gave her the medicine in a small brown box "in the far corner of a room." Marie specified that she walked two fathoms, the equivalent of seven feet, into the room before he took the medicine out of his pocket. She believed that a friend of Alsagoff and both of her parents, who were sitting just beyond the ajar door, witnessed the whole exchange. Alsagoff told her to take the medicine in small quantities and invited her to his house to show her how to consume the medicine. He explicitly told her again that the medicine would cause her to lose the child and have a miscarriage.

Marie stated that she did not take the medicine although she kept it. Indeed, her mother told the court that she forbade her daughter from taking it and kept it for her until the day she handed it over to the police. On May 24, 1890, Marie went to Alsagoff's house with her mother again to enquire about what he would do with them when he went to Europe, but he

simply told them that he did not bring them from Cairo and was therefore not responsible for their lives. He asked her if she had taken the medicine, and she responded in the affirmative but added that it was ineffective. This prompted Alsagoff to offer her another medicine via a delivery boy, a Chinese boy of six or seven years old identified in court as a servant of Alsagoff's employee, De Metri Mussabini. Marie told the court that she did not really understand the Chinese boy who delivered the bottled medicine for he spoke Malay. She and her mother could only understand the name "Omar." To clarify matters, she went to see Mussabini. He told her to take "a teaspoonful with water, and if that should not have any effect to take the whole lot."

In closing, Attorney-General John Winfield Bonser warned that the entire case rested on Marie Gorski's story and that if there was even the slightest doubt in the story, the defendant would be acquitted. The charge against Syed Mohammed Alsagoff was a serious one but easily concocted. He stressed that "these charges brought by women against men ought to be gravely investigated" even as he noted that Hedwig and Marie Gorski's testimonies and depositions were remarkably consistent throughout trial.⁴⁶

The trial led to a huge uproar amongst members of the mercantile community, as well as the Arab and Malay communities who were scandalized by the fact that Alsagoff was even brought to trial. Public press constantly cast doubt on Marie's pregnancy. It did not help that the acting colonial surgeon tasked by the court did not confirm that she was pregnant until she was five months along. Members of the colonial elite profusely expressed regret for inconveniencing Alsagoff with the trial. He was constantly portrayed favorably—the Dutch colonial presses in neighboring Netherlands Indies even called him a "civilized and intelligent Arab."⁴⁷ Editorials in the daily colonial newspaper, *The Straits Times*, repeatedly cast the Gorskis as the Arab man's hangers-on who unfairly inflicted upon this Arab merchant the ordeal of being tried publicly in court. An editorial in *The Straits Times* called them outright "beggars," while apologizing to Alsagoff who kept on threatening to leave for Europe with his family and money. The Gorskis were portrayed as dishonest in newspaper reports on the case. Marie's testimony and her mother's descriptions were repeatedly dismissed as hearsay in the press by the defendant's lawyer J. G. Davidson. Marie's virtuousness was questioned repeatedly.⁴⁸ Both Bonser, attorney-general of Singapore, and Sir Frederick Dickson, colonial secretary of the Straits Settlements, were criticized in the press for causing temporary discomfort to Alsagoff.⁴⁹

The Gorskis meanwhile ended up in more severe financial distress than before. After being kicked out, they were initially housed in a "refuge" or "home" of unknown nature meant for use under the Women's and Children's Protection Ordinance. This became their domicile during part of the

trial. They were later moved to a pauper's hospital while "a night's lodging" was arranged for them.⁵⁰ A newspaper report pointed out that the pauper's hospital was indeed not suitable for Europeans but defended the government authorities' choice for the sake of the trial. The report's defensive tone implied that there were parties within the colonies who were not satisfied with the treatment received by the Gorski family precisely because they were Europeans. Lest we think that all colonial authorities were concerned that the Gorskis' condition was a possible affront to European prestige, the police emphasized that their overriding concern was, in fact, the possibility that the Gorski family might elude capture.⁵¹

After the trial in the Supreme Court in September 1890, the government of the Straits Settlements offered the Gorskis a free passage to Shanghai. Unfortunately, the family was forced to remain longer in Singapore amidst a hostile social setting because Marie was already in bad health in an advanced state of pregnancy.⁵² After the trial, the Gorski family was advised to not travel, especially in the "current bad weather conditions" that could prove fatal to the unborn child.⁵³ Accommodation provided by the government in a hotel ran out on October 14, 1890, forcing the Gorskis to live without any means of subsistence in an unfurnished house in poverty on Prinsep Street. Out of embarrassment, Alsagoff left Singapore immediately after his acquittal for a tour of Europe for three years along with 130 people including his mother and a retinue of 60 servants. Several Arabs saw him off at the docks out of sympathy and a sense of solidarity.⁵⁴ Marie gave birth in early January 1891 to a baby girl.⁵⁵ It is not known what happened to the Gorski family after that.

Class, Gender, Race

In the absence of diaries and letters, historians have concentrated on women's encounters—voluntary or not—within structures of discipline and administration that preserved glimpses of the people's lives they ordered.⁵⁶ Institutional records, however, censor women's voices. Alsagoff's lawyers frequently interjected during trial proceedings that the state of the woman's mind was not evidence, while the magistrate, out of a sense of propriety and perhaps even a misplaced sense of chivalry, attempted to suppress Marie's testimony in open court. Reports of the trials in the newspapers, however, provide rich historical evidence. They demonstrate how the colonial elite in Singapore, primarily a colony of commerce, rather typically exalted the merchant. Not surprisingly therefore, upon Alsagoff's departure from the city, members of the British colonial elite expressed their anxiety that he might move his financial capital elsewhere. They must have heaved a sigh

of relief when, upon his return, he focused his attentions on expanding his pilgrim shipping business to Jeddah and investing in more real estate on the island.

As the anthropologist Ann Laura Stoler has shown, while the limits and extent of women's agency were determined in many ways by gender, charting those margins is not a matter of gender alone.⁵⁷ In court, Marie Gorski was aware that poor women could gain sympathy for helping maintain their families.⁵⁸ Being economically impoverished, however, put her at risk of being abandoned by her own community—a situation commonly suffered by children of mixed unions between subject and colonial elite populations. It is therefore ironic that Marie was in fact not of mixed descent, being completely European. She and her parents suffered a “social death” in the colony, a severing from European society, a banishment from the colonial milieu in which they could have potentially thrived. Colonial categories had, in a sense, been overturned. In this particular case, wealth and cultivation propelled Alsagoff to the status that even some Europeans could not reach.

The vastly different responses to Alsagoff and Marie Gorski suggest that class- and gender-based empathy eclipsed unity based on race. The language of reports of the trials reflected not so much male empathy, which cut through racial and class structures, but a desire to retain economic capital in the colony. Male empathy in this instance was directly linked to colonial priorities, and emotion and sentimentality was just as powerful in legal proceedings. In examining a case involving a Siamese man and his English wife, the historian Tamara Loos exposed the transracial alliance between an upper-class Asian man and the British elites in Singapore that was based on shared notions of upper-class masculinity, shame, personal suffering, and unrequited love.⁵⁹ She argues that these sentiments could very well contribute to the cultural ostracism of white women who had relations outside their racial communities. The two cases examined in this article, however, prove that such factors as class and wealth ultimately formed more powerful binding forces behind legal judgments, although male prestige was emphasized in both cases.

While women were equal in the eyes of the law, they were not necessarily treated equally in court or the public press. Their testimonies were weighed differently, for example. In the case against Alsagoff, his lawyers repeatedly cast doubt on Marie's pregnancy, the evidence of their clandestine relationship. Normative law in both cases was less blatantly skewed to male or female interests. Yet newspaper reports simultaneously chided Jenny Mighell for being duped by the sultan. In court, lawyers cast doubt on her claim of not knowing his true identity. In November 1893, an article

in *The Straits Times* mockingly stated, "Miss Mighell may, or may not, have received a promise from (Her Highness Queen Victoria). Of that we have no knowledge."⁶⁰ An article in December 1893 stated, "If, however, we take the lady's story, and who can contradict a lady's word especially if it be in the form of an affidavit, the disclosure of Mr. Albert Baker's identity came upon her life a flash and overwhelmed her with astonishment . . . That, at least, is the lady's story. It can be believed or disbelieved as one likes."⁶¹

Despite their general incredulity, reports on both cases did not shy away from sensationalism in order to attract readership. The writers often used gendered language embedded in a hierarchy of values. One report referred to Mighell's "womanly curiosity."⁶² She was thereafter portrayed as a money-grubbing, socially ambitious young woman. "What joy must have been hers to discover that, and how much sweeter must love have grown when it fathered the hope that, some day, plain Jenny Mighell would blossom into a glorious Sultana, who would dwell in a marble palace with a hundred menials to wait upon her bidding. Albert, the treasure of her heart, grew now ten times more dear as Jenny built her castles in the air."⁶³ In a rare turn, however, the Master of the Rolls, in giving his judgment, addressed Mighell's demands by saying "he might have done acts while incognito which were altogether inconsistent with his high position, which were cruel in their nature, and might have been sinful, but the Court had not power to inquire into the truth or the falsity of the allegations."⁶⁴ Hence the judge expressed the court's frustration at not being able to act on behalf of the wronged Jenny Mighell.

No magistrate or judge, however, expressed similar frustration at not being able to assist Marie Gorski and her parents although they were in dire circumstances. Their lives were not cloaked by economic respectability. For the Gorskis, the charges against Alsagoff and Mussabini were such that their integrity was susceptible to attack because their testimonies bore directly on the charge and verdict. Hence the lawyer for Alsagoff minced no words in court when he repeatedly alluded to the notion of virtue in addressing the Gorski women's testimonies: "Is it the conduct of a virtuous girl resisting temptation? Do you think if she had been struggling to keep her virtue she would have at once followed him on foot to his house and not have taken some time to consider the consequences of her step and so put off this great calamity for as long as possible? Is it likely with a virtuous girl and a virtuous mother that something would not have been done to find what had become of her, supposing always that she had not been in the habit of going away before."⁶⁵

In the period of high empire, these high-profile trials provided a cue to a new reality. Both defendants suffered great inconvenience according

to newspaper reports, having to appear in court or travel. In both cases, the female party disappears, in that she was no longer visible as a victim to whom justice was owed, and she did not reappear.⁶⁶ The reputation of male defendants was of paramount importance due to their political and economic power. A *Straits Times* reporter emphasized that the sultan of Johore emerged from the episode “with credit unimpaired.”⁶⁷ He also urged the sultan to bequest a gift of ten thousand pounds to Jenny Mighell so that the world would know him as “a munificent and generous potentate.”⁶⁸ This attitude was in line with British imperial policy with regards to local members of royalty, which was conservative, friendly, and sometimes even indulgent, throughout the empire from the late nineteenth century onwards.⁶⁹ Abu Bakar was certainly a favorite, as “a man much petted and decorated by the British government for unswerving fidelity to British interests.”⁷⁰

On December 27, 1894, *The China Express* reported that “viewing the position of the defendant, it would have been better on political grounds that the case should not have been brought into public Court.”⁷¹ The reason was that it might militate against the sultan if he visited Britain. There may be “nothing in Miss Mighell’s case at all, but the mere fact that it had been brought will away certain circles.” There was no compensation for class bias and gender bias in both cases. Deprived of high social standing, both women suffered in court, while economically and politically influential defendants won sympathy from all sides. Imperialism was driven by the dual and mutually reinforcing need of the government to hold on to class and racial hierarchies and prevent women from enhancing their status in society through intimate alliances with powerful Asian men. While brown women were to be saved by white men, to paraphrase the literary critic Gayatri Spivak, white women should know better than to fall into relationships with brown men.⁷² The press often implied that such women were unfairly trying to achieve a shortcut to gain financial social success through nefarious means by entering into relationships with rich non-European men. An editorial in *The Straits Times* mockingly stated, “Perhaps in future, when an Oriental gentleman with an English alias offers his affections, our young women will exercise more discretion than did the victim of His Majesty of Johore, and ascertain whether their suitor is subject to the jurisdiction of our courts of law before accepting him as a prospective husband?”⁷³

By the time the cases were brought to court, the prospect of marriage was already off the table. Both women demanded some kind of material compensation in the aftermath of these failures. Yet narratives presented in the public press registered anxiety about the possible marriages even though this possibility had become minimal. Ann Laura Stoler has already shown how the phenomenon of *métissage* emerged as a powerful trope for internal contamination as a dangerous source of subversion, a threat to

white prestige, and an embodiment of European degeneration and moral decay from a colonial perspective.⁷⁴ This concern became more acute in the nineteenth century when European rule, including British rule, became more secure and a larger number of women from Europe had emigrated to the colonies.⁷⁵ At the same time, colonial societies encouraged and promoted the status and performance of white women as good bourgeois subjects in order to hold up these women as superior in comparison to native women. The historian Durba Ghosh highlights the limits of legal sources in comparison to other forms of narrative, particularly in regions of the world where subaltern women did not have the ability to record their existence through anything but their bodies.⁷⁶ Middle-class and destitute unmarried white women shared this plight. They represented British imperial anxieties about intimate relations between male colonial subjects and European women.⁷⁷ Not surprisingly, therefore, Marie Gorski received much attention from prominent men in the colony. All the European embassies willingly received her even though they could not help her in the end.

Conclusion

Legal arenas were not the most effective forums for women to gain compensation for personal pain. For one, cases were not framed in women's favor. A newspaper report on the case of Jenny Mighell rather presciently stated that "the story of the wooing when it is critically examined in the cold light of the Law Courts should prove interesting, but for the moment that interest must be deferred."⁷⁸ Details of wooing and seduction did not touch upon relevant points of law, so members of the public were not exposed to the sultan of Johore's deceit or to the possibility that Alsagoff seduced the young Marie Gorski. The conduct of the two men was hardly above board. By the time he met Jenny Mighell, the sultan of Johore was already married to a Danish-Chinese woman and a Malay woman in Johore. It is unlikely that Mighell would have knowingly agreed to a polygamous marriage. Alsagoff could have been tried for the crime of seduction, but the law did not apply to the Straits Settlements.⁷⁹

Each legal court was a space with its own peculiar hierarchy, networks, and sets of rules. For example, if the case of Marie Gorski had been brought to family court, there was a chance that the Gorskis might have obtained remuneration for the baby, although there was no way to fully ascertain that the biological father was Alsagoff.⁸⁰ While both women were trying to ameliorate the circumstances of their lives, the judges who ruled over their lives tended to focus on points of law. In line with this, during trials, lawyers made claims that pointed towards dubious legal validity. At no point during trial did legal practitioners or witnesses mention that Alsagoff

threatened to evict Marie's parents if she did not engage in sexual relations with him. Her own sense of self-preservation and duty towards her parents were not deemed important enough to evoke sympathy from the court. In fact, colonial newspaper reports reflected narrow colonial concerns of the ruling male elite at the expense of the welfare of vulnerable parties like the Gorskis. Indeed in both cases, members of the British press urged legal authorities to quash the charges or stop cases from dragging on further in order to protect the male defendants for political and economic reasons. In order to persuade judges and the public, lawyers cast doubt on key female witnesses' testimonies in court. Their expressions of doubt were echoed by judges and, later, members of the press who questioned if the cases were even worth being tried for the women's sake—although, as mentioned in the case of Mighell, one judge expressed concern about not being able to act on her behalf since the case had already been cast as a matter of sovereignty instead.

Despite their limitations, colonial courts remained a space where everyone regardless of gender was able to tell stories that were purposefully arranged to win over audiences. They were compelled to engage in public speaking to tell their stories. Against constructed negative stereotypes of women in empire, the testimonies of Jenny Mighell and Marie Gorski reflected their desires and intentions. Simply by demanding an official response by legal authorities, they were being disruptive.⁸¹ Indeed, even when they were doomed to lose their respective cases, both litigants managed to spark conversations in the public press. Although both women did not receive due compensation or recognition of their personal pain, they both won their cases in a limited way by holding their powerful male defendants accountable for their actions in public trials. They displayed ample agency—engaging in sexual relations with their lovers, going to court, handing evidence over to the police, uncovering their lovers' real identities, and requesting compensation.

At times, both women suffered ridicule and faced incredulity after bringing their grievances to court mainly because public opinion sided mostly with the men involved. Mighell's lawsuit and the lawsuit against Alsagoff help to delineate the boundary of elite identity during the late nineteenth century in the Straits Settlements. Social relations in the colony did not consist of vertical lines of authority but rather a web that was the product of continual contestations of power, as a historian of colonial America, Kimberly Gauderman, points out.⁸² In both cases examined in this article, members of the ruling elite who had the power to discipline came together to follow a definable logic—economic profitability.⁸³ British press often highlighted that Johore was a state that was one of the "most prosperous in the east" with a "firm and unwavering friendship" with Britain,

with a working railway and the "finest timber."⁸⁴ Both cases demonstrate the feminist scholar Anne McClintock's argument that imperialism had as much to do with gender asymmetries, both within and without the colonial context, as it did with the more pronounced impositions of class and race.⁸⁵ Mercantile and colonial interests in the economically complex and racially diverse city of Singapore ultimately undergirded the trial against Alsagoff. The ability to hush up a scandal was a privilege distributed unequally, as the historian Deborah Cohen writes, and the Alsagoff case proves this.⁸⁶ Colonial governments valued economic prowess, which ultimately led to the anxious courting of men of capital. In this way, imperial politics in racially diverse spaces was highly complex, flexible, and potentially fragile.

NOTES

I would like to thank the two anonymous reviewers as well as Iza Hussin and Mitra Sharafi for their help in this article.

¹During the second half of the nineteenth century, it was common for aristocrats throughout the British Empire to live in London for part of their lives although they often lived on the margins of elite London society. For example, see Susheila Nasta, *India in Britain: South Asian Networks and Connections, 1858–1950* (New York: Palgrave Macmillan, 2013); Rozina Visram, *Ayahs, Lascars, and Princes: Indians in Britain, 1700–1947* (London: Pluto Press, 1986); and A. Martin Wainwright, *"The Better Class" of Indians: Social Rank, Imperial Identity, and South Asians in Britain, 1858–1914* (Manchester: Manchester University Press, 2008).

²"The Sultan's Love Lights the Way to the Law Courts," *The Singapore Free Press and Mercantile Advertiser*, October 12, 1883, 2. For a full law report, see "Mighell v. Sultan of Johore," *The Law Times Reports of Cases Decided in the House of Lords 70* (1894): 149–64.

³Joan W. Scott points out that an interest in class, race, and gender signaled, first, a scholar's commitment to a history that included stories of the oppressed and an analysis of the meaning and nature of their oppression and, second, scholarly understanding that inequalities of power are organized along at least three axes. Joan W. Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review* 91, no. 5 (1986): 1053–75, 1054, 1075. The legal scholar Kitty Calavita examines how race, class, and gender led to contingencies and instabilities of ideology and the legal practices in the implementation of Chinese Exclusion Laws during the late nineteenth century in the United States of America. Kitty Calavita, "Collisions at the Intersection of Gender, Race, and Class: Enforcing the Chinese Exclusion Laws," *Law and Society Review* 40, no. 2 (2006): 249–81. Also see Barbara Y. Welke, "When All the Women Were White, and All the Blacks Were Men: Gender, Class, Race, and the Road to Plessy, 1855–1914," *Law & History Review* 13, no. 2 (1995): 261–315.

⁴Sonya O. Rose, *What is Gender History?* (Cambridge: Polity Press, 2010), 35.

⁵Ann L. Stoler, *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (Durham, NC: Duke University Press, 1995); Ann L. Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002); and Ann L. Stoler, "Tense and Tender Ties," *Journal of American History* 88, no. 3 (2001): 829–65. See edited volumes by Chaudhuri Nupur and Margaret Strobel, eds., *Western Women and Imperialism: Complicity and Resistance* (Bloomington: Indiana University Press, 1992); and Julia A. Clancy-Smith and Frances Gouda, eds., *Domesticating the Empire: Race, Gender, and Family Life in French and Dutch Colonialism* (Charlottesville: University Press of Virginia, 1998).

⁶Durba Ghosh, "Who Counts as 'native?': Gender, Race, and Subjectivity in Colonial India," *Journal of Colonialism and Colonial History* 6, no. 3 (2005): paragraph 3, https://muse.jhu.edu/login?auth=0&type=summary&url=/journals/journal_of_colonialism_and_colonial_history/v006/6.3ghosh.html.

⁷By definition, she writes, "most women are married, or have been, or plan to be, or suffer from not being." Simone de Beauvoir, *The Second Sex* (London: Vintage, 1997), 445.

⁸Karuna Mantena, *Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism* (Princeton, NJ: Princeton University Press, 2010), 7, 54.

⁹For more on cosmopolitan diversity in Singapore during this period, see Timothy N. Harper, "Globalism and the Pursuit of Authenticity: The Making of a Diasporic Public Sphere in Singapore," *Sojourn: Journal of Social Issues in Southeast Asia* 12, no. 2 (1997): 261–91; and C. M. Turnbull, *A History of Singapore, 1819–1975* (Singapore: Oxford University Press, 1977), 78–127.

¹⁰Mary Poovey, *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England* (Chicago: University of Chicago Press, 1988).

¹¹John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven, CT: Yale University Press, 1999), 7.

¹²For an example of a study of a legal case in South Asia that involved a French woman and a Zoroastrian Parsi man in 1906, see Mitra Sharafi, "Judging Conversion to Zoroastrianism: Behind the Scenes of a Parsi Panchayat Case (1906)," in *Parsi in India and the Diaspora*, ed. John Williams and Alan Hinnells (London: Routledge, 2007), 159–80.

¹³Durba Ghosh, *Sex and the Family in Colonial India: The Making of Empire* (Cambridge: Cambridge University Press, 2006), 2.

¹⁴For more on mixed-race unions, see Deborah Cohen, "The Nabob's Secrets," in *Family Secrets: Shame and Privacy in Modern Britain* (New York: Oxford University Press, 2013), 13–46; Emmanuelle Saada, *Empire's Children: Race, Filiation, and Citizenship in the French Colonies* (Chicago: University of Chicago Press, 2012); Elizabeth Thompson, *Colonial Citizens: Republican Rights, Paternal Privilege, and Gender in French Syria and Lebanon* (New York: Columbia University Press, 2000); Hanneke Ming, "Barracks-Concubinage in the Indies, 1887–1920," *Indonesia* 35 (April 1983):

65–94; and Jean Gelman Taylor, *The Social World of Batavia: Europeans and Eurasians in Colonial Indonesia* (Madison: University of Wisconsin Press, 2009).

¹⁵Elizabeth Buettner, *Empire Families: Britons and Late Imperial India* (Oxford: Oxford University Press, 2004); Emma Rothschild, *The Inner Life of Empires: An Eighteenth-Century History* (Princeton, NJ: Princeton University Press, 2011); and Linda J. Colley, *The Ordeal of Elizabeth Marsh: A Woman in World History* (New York: Pantheon Books, 2007).

¹⁶“Sensational Breach of Promise Case,” *Stonehaven Journal*, September 21, 1893, 4.

¹⁷By 1880s, the sultan was a common fixture in the London social scene. He first visited England in 1866. He also traveled throughout the rest of Europe, Egypt, the Ottoman Empire, Ceylon, Japan, Hong Kong, China, and Java. Charles B. Buckley, *An Anecdotal History of Old Times in Singapore*, vol. 2 (Singapore: Fraser and Neave, 1902), 729.

¹⁸*Annual Colonial Reports* (London: His Majesty's Stationery Office, 1938), 4.

¹⁹Abdul Rahman Tang Abdullah, “Sultan Abu Bakar's Foreign Guests and Travels Abroad, 1860s–1895: Fact and Fiction in Early Malay Historical Accounts,” *Journal of the Malaysian Branch of the Royal Asiatic Society* 84, no. 1 (2010): 1–22. Also see Koh Keng We, “Travel and Survival in the Colonial Malay World: Mobility, Region, and the World in Johor Elite Strategies, 1818–1914,” *Journal of World History* 25, no. 4 (2014): 559–82; and Iza Hussin, “Circulations of Law: Cosmopolitan Elites, Global Repertoires, Local Vernaculars,” *Law and History Review* 32, no. 4 (2014): 773–95.

²⁰T. Cyprian Williams, *Lyrics of Lincoln's Inn: With Notes for the Benefit of the Unlearned* (London: Sweet and Maxwell, 1896), 57–59.

²¹*Ibid.*, 47–49.

²²*Ibid.*, 47–49, 51–55.

²³Mrs. Hedwig Gorski represented herself as German to the German chemist Max Wiesbauer whose testimony in court cast doubt on hers. “The Charge against Syed Mohamed Alsagoff Fourth Day,” *Straits Times Weekly Issue*, June 18, 1890, 8. The European jury members were Messrs. C. Stringer, James Miller, C. Connington, F. Balfour Lees, Adolphus Hagens, C. F. Mackie, and John Finlayson.

²⁴“Regina v. Syed Mahomed Alsagoff,” *Cases Heard and Determined in Her Majesty's Supreme Court of the Straits Settlements, 1808–1890* 4 (1885–1890): 651–62. Both Alsagoff and Mussabini were charged under section 312 of the Indian Penal Code, which states that “whoever voluntarily causes a woman with child to miscarry, shall, if such miscarriage be not caused in good faith for the purpose of saving the life of the woman, be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and, if the woman be quick with child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine. A woman who causes herself to miscarry, is within the meaning of this section.”

²⁵His grandfather Syed Abdul Rahman Alsagoff had arrived in Singapore from Hadhramaut (currently in Yemen) in 1824 with his father Syed Ahmad who married Raja Siti, daughter of Hajjah Fatimah, a wealthy Bugis merchant formerly based in Malacca and who later moved to Singapore. For more on the Alsagoff family, see Syed Mohsen Alsagoff, *The Alsagoff Family in Malaysia: A. H. 1240 (A. D. 1824) to A. H. 1382 (A. D. 1962)* (Singapore: Syed Mohsen Alsagoff, 1963). For “the richest man in Singapore,” see Mary P. Dunning, “Around the World with a Sigma Kappa,” *Sigma Kappa Triangle* 8, no. 3 (1914): 515–25, 517.

²⁶Frederik s’Jacob, governor-general of Netherlands Indies, to Governor-in-Chief of the Straits Settlements, Singapore, 25 September 1881, FCO 141/15806, National Archives, Kew Gardens, London, United Kingdom.

²⁷For more, see Nurfadzilah Yahaya, “British Colonial Law and the Establishment of Waqfs by Arabs in the Straits Settlements, 1860–1941,” in *The Worlds of the Trust*, ed. Lionel Smith (Cambridge: Cambridge University Press, 2013), 167–202.

²⁸Ergot-on-rye was used to stop blood flow during childbirth when ingested in small doses. Cantharides is the scientific name of the Spanish fly more commonly known as an aphrodisiac although it could induce abortions when consumed at toxic levels. Both substances were listed as “poisons” in the Laws of the Straits Settlements and were commonly known by medical practitioners to induce abortions by the second half of the nineteenth century in England. Alfred Swaine Taylor, *The Principles and Practice of Medical Jurisprudence*, vol. 2, 3rd ed. (London: J. Churchill & Sons, 1883), 191–94; and Ordinance no. 91, section 10, *Laws of the Straits Settlements*, vol. 2 (London: Waterlow & Sons, 1920), 221.

²⁹“The Assizes,” *The Singapore Free Press and Mercantile Advertiser* (weekly), September 10, 1890, 301; and “Re-arrest of Syed Mohamed Alsagoff,” *Straits Times Weekly Issue*, July 23, 1890, 1.

³⁰Frank Swettenham, *British Malaya* (London: Allen & Unwin, 1906), 342.

³¹The notion of “whiteness” lies along a spectrum, and various settler colonies within the British Empire, for example, differentiated between northern and southern Europeans. Catherine Hall, “Of Gender and Empire: Reflections on the Nineteenth Century,” in *Gender and Empire*, ed. Philippa Levine (Oxford: Oxford University Press, 2007), 46–76, 49; Nell Irvin Painter, *The History of White People* (New York: W. W. Norton, 2011); and Adele Perry, *On the Edge of Empire: Gender, Race, and the Making of British Columbia, 1849–1871* (Toronto: University of Toronto Press, 2001).

³²In her testimony in court, she gave two different dates, February 25 and 26, when asked by the magistrate and the defendant’s lawyer.

³³The business was situated in Boulevard Abdul Aziz in Alexandria.

³⁴While in Singapore, they stayed at London Hotel in a prominent location in town at the corner of High Street and the Esplanade. Maxime Pilon and Danièle Weiler, *The French in Singapore: An Illustrated History, 1819–Today* (Singapore: Editions Didier Millet, 2011), 63.

³⁵Alsagoff himself had traveled to London at least once in 1888. “Departure of Passengers for Bombay from London,” *Homeward Mail from India, China, and the*

East, October 29, 1888, 25; and *Sporting Times*, June 28, 1884, 2. For more on his relationship with the sultan of Johore, see Saadiah Said, "Kegiatan Keluarga Alsagoff dalam Ekonomi Negeri Johor, 1878–1906," *Jebat* 7 (1977–1978) and 8 (1978–1979): 52–67.

³⁶"The Charge against Syed Mohamed Alsagoff Fourth Day," *Straits Times Weekly Issue*, June 18, 1890, 8.

³⁷His wife, Hedwig Gorski, however, cited March 26 as the date of her husband's departure for Bangkok.

³⁸The Gorskis' testimonies were in German.

³⁹"James Oliver Anthonisz, C.M.G.," *Journal of the Dutch Burgher Union of Ceylon* 28, no. 3 (1939): 100–03.

⁴⁰Barbara Watson Andaya and Leonard Andaya, *A History of Malaysia* (London: Macmillan Press, 1982), 151.

⁴¹He was formerly a solicitor for the Court of Scotland and British resident of the state of Perak.

⁴²The contents of this small packet were never revealed.

⁴³Her mother told the court that she was the one who informed Alsagoff, not her daughter.

⁴⁴She could not remember if he specifically used the word *give* or *bring*. "Serious Charge against Syed Mohammed Alsagoff," *Straits Times Weekly Issue*, June 11, 1890, 8.

⁴⁵He did not see Alsagoff's wife, who had been in confinement, but was later informed that she had indeed taken it although he did not see the bottle. "The Assizes: The Charge against Syed Mohamed Alsagoff, July 17 1890," *Straits Times Weekly Issue*, July 23, 1890.

⁴⁶*Ibid.*

⁴⁷"Een Schandaal-Proces in de Straits," *Soerabaijasch handelsblad*, June 16, 1890, 2.

⁴⁸"The Charge against Syed Mohamed Alsagoff," *Straits Times Weekly Issue*, September 15, 1890, 9–10.

⁴⁹*Ibid.*

⁵⁰"The Case of Marie Gorski," *Straits Times Weekly Issue*, June 11, 1890, 7.

⁵¹*Ibid.*

⁵²Her health conditions were ascertained by Dr. John Leask. "The Assizes: The Charge against Syed Mohamed Alsagoff, 17th July 1890," *Straits Times Weekly Issue*, July 23, 1890.

⁵³"The Gorski Family," *Straits Times Weekly Issue*, October 22, 1890, 5.

⁵⁴*Soerabaijasch handelsblad*, January 7, 1891, 2.

⁵⁵*Ibid.*

⁵⁶Eleanor Hubbard, *City Women, Sex, and the Social Order in Early Modern London* (Oxford: Oxford University Press, 2012), 1.

⁵⁷Stoler, *Race and the Education of Desire*; Stoler, *Carnal Knowledge*; and Stoler, "Tense and Tender Ties."

⁵⁸Too often, historians' use of "agency" as a framing device restricts it to the context of resistance. In his trenchant critique of "agency," Walter Johnson argues that historians should imagine a history of slavery that sees the lives of enslaved peoples as powerfully conditioned by, although not reducible to, their slavery. Walter Johnson, "On Agency," *Journal of Social History* 37, no. 1 (2003): 113–24.

⁵⁹Tamara Loos, "Besmirched with Blood: Emotional History of Transnational Romance in Colonial Singapore," *Rethinking History: The Journal of Theory and Practice* 16, no. 2 (2012): 199–220.

⁶⁰"The Sultan and the Lady," *Straits Times Weekly Issue*, November 7, 1893, 2.

⁶¹"Mighell v. Sultan of Johore," *Straits Times Weekly Issue*, December 12, 1893, 5.

⁶²*Ibid.*

⁶³*Ibid.*

⁶⁴The Master of the Rolls was a senior judge in England second only to the chief justice.

⁶⁵"The Charge against Syed Mohamed Alsagoff," *Straits Times Weekly Issue*, September 15 1890, 9–10.

⁶⁶For more on the female vanishing victim in cases involving gender issues, see Catherine Warrick, "The Vanishing Victim: Criminal Law and Gender in Jordan," *Law and Society Review* 39, no. 2 (2005): 315–48.

⁶⁷"The Sultan and the Lady," *The Straits Times*, November 7, 1893, 2.

⁶⁸Since the sultan of Johore had prominent exhibits at the Chicago World's Columbian Exposition (also known as the World's Fair) of 1893, his wealth was retooled as an instrument of empire as his lavish generosity was called upon as "an attribute of an eastern potentate" in the eyes of the American people. *Ibid.*

⁶⁹For more on this, see David Cannadine, *Ornamentalism: How the British Saw Their Empire* (Oxford: Oxford University Press, 2001). Also see Barbara N. Ramusack, *The Indian Princes and their States* (New York: Cambridge University Press, 2004); and Ian Copland, *The Princes of India in the Endgame of Empire, 1917–1947* (Cambridge: Cambridge University Press, 1997).

⁷⁰Isabelle L. Bird, *The Golden Chersonese and the Way Thither* (Kuala Lumpur, Malaysia: Oxford University Press, 1967), 119.

⁷¹The *China Express* is a weekly newspaper published on arrival of the P&O Messageries and Pacific Mail. *The Straits Times*, December 27, 1893, 2.

⁷²Gayatri C. Spivak, "Can the Subaltern Speak?" in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988), 271–313, 297.

⁷³"The Sultan and the Lady," *The Straits Times*, November 7, 1893, 2.

⁷⁴Ann Laura Stoler, "Sexual Affronts and Racial Frontiers," in *Tensions of Empire: Colonial Cultures in a Bourgeois World*, ed. Frederick Cooper and Ann Laura Stoler (Berkeley: University of California Press, 1997), 198–237. New Zealand was the exception to imperial anxiety about interracial children. See Damon I. Salesa, *Racial Crossings: Race, Intermarriage, and the Victorian British Empire* (Oxford: Oxford University Press, 2011).

⁷⁵Ghosh, "Who Counts as 'native'?" paragraph 2.

⁷⁶Feminist scholars have long been critical of mainstream legal discourse because it fails to take adequate, if any, account of women's voices, practices, and experiences in its analysis of law. See Martha Minow, "Consider the Consequences," *Michigan Law Review* 84, no. 4 (1986): 900–18.

⁷⁷While scholars have examined the role of women in empire through the lens of kinship, not many scholars have focused on single women outside of domestic settings despite Joan Scott's call for studies that focus on gender constructed in the economy and polity independently of kinship. Scott, "Gender: A Useful Category," 1068.

⁷⁸"The Breach of Promise Action against a Sultan," *Aberdeen Evening Express*, September 15, 1893, 2.

⁷⁹Historically, the charge of crime of seduction was either a felony or a misdemeanor in several states in the United States of America and Canada. For more on the law in various contexts throughout North America, see Monica Anne Burke, "'Creatures Devoid of Sense and Will': The Canadian Crime of Seduction and its Early Victims" (PhD diss., Carleton University, 2001); Melissa Murray, "Marriage as Punishment," *Columbia Law Review* 112, no. 1 (2012): 1–65; Estelle B. Freedman, *Redefining Rape* (Cambridge, MA: Harvard University Press, 2013), 33–51; Gwenn Hoerr Jordan, "'Them Law Wimmin': The Protective Agency for Women and Children and the Gendered Origins of Legal Aid," in *Feminist Legal History: Essays on Women and Law*, ed. Tracy Thomas and Tracey Boisseau (New York: New York University Press, 2011), 156–72; and Karen Dubinsky, "Maidenly Girls or Designing Women? The Crime of Seduction in Turn-of-the-Century Ontario," in *Gender Conflicts: New Essays in Women's History*, ed. Franca Iacovetta and Mariana Valverde (Toronto: University of Toronto Press, 1992), 27–66.

⁸⁰Conversely in domestic abuse cases, family courts often fail to protect women who are victims of abuse, while criminal courts provide in-built barriers

that prevent these women from being further tormented by their abusers in trials. For example, see Sandra Laville, "Revealed: How Family Courts Allow Abusers to Torment Their Victims," *The Guardian*, December 22, 2016, <https://www.theguardian.com/society/2016/dec/22/revealed-how-family-courts-allow-abusers-to-torment-their-victims>.

⁸¹For more, see Leslie Peirce, *Morality Tales: Law and Gender in the Ottoman Court of Aintab* (Berkeley: University of California Press, 2003), 129–42.

⁸²Kimberley Gauderman, *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America* (Austin: University of Texas Press, 2003), 29.

⁸³For an earlier example of how the mercantile elite in the Straits of Malacca influenced legal rulings in the court of East India Company in the early nineteenth century, see Nurfadzilah Yahaya, "Legal Pluralism and the East India Company in the Straits of Malacca, 1786–1821," *Law and History Review* 33, no. 4 (2015): 945–64.

⁸⁴"The Sultan's Love," *Cork Constitution*, September 15, 1893, 8.

⁸⁵Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge, 1995).

⁸⁶Deborah Cohen, *Family Secrets: Shame and Privacy in Modern Britain* (New York: Oxford University Press, 2013), 7.