



Señora Spencer

Also Known As:

Mary Stuart Huntly, Mary Stuart Spencer

Lived:

May 15, 1871 - April 19, 1940

Worked as:

cinema proprietor, family business partner, motion picture exhibitor, producer, projectionist

Worked In:

Australia

by **Deb Verhoeven**

In 1918, Mary Stuart Spencer, more widely known to the film-going public as the theatre owner Señora Spencer, found herself at the center of a court case in which her capacity to conduct business independently of her husband was put into legal debate. *Theatre Magazine*, reporting on “The Spencer Case,” put it bluntly, asking in bold type, “Was Señora Spencer merely a blind for her husband?” At the time, Cosens Spencer was the proprietor of a string of successful motion picture theatres located in Brisbane, Toowoomba, and Newcastle. The case was fought by a “stupendous array” of lawyers including no less than four King’s Counsels and was prominently reported in both the popular media and trade magazines (32-34).

The two were married in Melbourne on February 14, 1903, although some contemporary reports have them marrying in Canada. They had met earlier in either the US or New Zealand, and even before they were married, the couple had already begun working together, presenting touring film exhibitions. Although she was three years older, her marriage certificate states her to be four years younger than her husband. In a 1906 interview, Señora Spencer describes her professional collaboration with her husband, explaining that “after our marriage, having always been interested in electricity, I studied it up and was soon able to operate and assist him” (8–9). Interviewed for the article, she states she had been involved in the industry for seven years after first meeting Spencer in the US. This boast, however, could just be an attempt to promote their Great American Theatrescope, which opened at the Lyceum in Sydney in 1905 before touring to Adelaide, Broken Hill, and Perth.

It was at this time that Señora Spencer achieved notoriety as “The Only Lady Cinematograph Artist in the World,” as the article was titled, and one assumes that “cinematograph artist” was a

term for projectionist, since here she describes projection as “very hard and trying work” (8–9). In an interview for the *Kinematograph and Lantern Weekly*, Spencer himself described it somewhat differently, and praised his wife’s technical talent: “It is very delicate work to turn the handle and I claim my wife is a better manipulator of the machine than any man. Not only that, but she takes a keen interest in the work” (393). Señora Spencer’s feats as a projectionist were recognized by those she worked with, evidence of which is that at the end of the 1907 Theatrescope run at the Lyceum, the appreciative house staff presented her with a diamond and ruby brooch (*Kinetograph and Lantern Weekly*, 393). This gesture itself implies that Señora Spencer was more than just a projectionist, and Hamilton Johns claims in a 2005 *Kino* article that she appeared at every session at the Lyceum on an elevated, open projection platform and that during screenings, she would give a running commentary on the program (28). However, she is quoted in 1918 in *Theatre Magazine* as saying that she operated at the back of the stalls, which were shadowed by two balcony tiers, calling into question John’s attempt to make her into something akin to a film lecturer. Other mysteries arise. A 1985 article in *Kino* described her as a bejeweled, “lovely lady with flowing black hair,” even more of an attraction than the films themselves (5). It is not clear where these vivid depictions come from, however, and this description does not correspond with the extant photograph of her from this period.

In 1907 the *Kinematograph and Lantern Weekly* presented the two Spencers as partners in the enterprise of exhibition, describing them both as artists in the sense that they actively reedited films before presenting them to the audience: “Any unnecessary padding is at once cut out, and, without in any way upsetting the plot depicted, the duration of the subjects is modified, so that they fit in with the orchestral program” (393). The article further describes the process of exhibiting films as being like a production, with music being rewritten to suit particular scenes, the development of appropriate “mechanical effects to accompany the screening,” and “each subject being rehearsed a great many times before it was ready for final exhibition upon the screen” (393). This sense of artistry is further extended to Señora Spencer’s work as a projectionist, and the article paraphrases “Mr. Spencer” contending that “a lady operator has the delicate touch necessary to make each operation a success, and she knows exactly how to apply the light and shade, the celerity or the slowest movement.” Spencer goes further, asserting that “In fact the entire success of the entertainment is due to her efforts.” The article also claims that they have succeeded in eliminating flicker in their shows—the result of “long years of study on the part of both” (393).

Articles from the period also include details about the role of exhibitors in small-scale moving image production undertaken to fill their otherwise imported film programs, although the discussion of production activity is rarely emphasized. American Theatrescope—later Spencer’s Theatrescope and then Spencer’s Pictures—shot several films, and it is likely Spencer was involved in aspects of their production. She claims she herself shot *The Spanish Bullfight*, mentioning it in passing to *Theatre* as if it is of less consequence than her skills as a projectionist (8–9). In Adelaide in 1906 the Spencers shot two films: *Happenings Taken at the Adelaide Show* and *Adelaide’s Fire Service*. By 1908 the company was taking enough footage to warrant the establishment of a fully fledged production unit. In 1909 when Spencer’s Theatrescope returned

to Adelaide to screen a new collection of films, they shot three more, which they screened as part of their program: *Adelaide the City*, *Zoological Gardens*, and *Fighting the Flames*. *The Register* in Adelaide reported: “The Company had shown that they can not only show pictures but can take them also” It should be noted, however, that advertisements for these screenings list C. Spencer as the “Director” of the exhibition event and also identify the films as having been “Taken by Mr. Spencer.” This integration between the roles of presenter and producer continued into Spencer’s later activities as a theatre proprietor. For example, in 1916 the Strand in Brisbane showed a short film of highlights of the Brisbane show, which according to historian Eric Reade were shot by “Senora Spencer’s cinematographers” (93).

The Spencers’ exhibition activities have been noted by film historians for being instrumental in making cinema attractive to the Australian middle-class, and as Diane Collins puts it in Cosens Spencer’s biography, “ambitious musical and special effects, lavish theatres—and no doubt the presence of a lady operator.” Pike and Cooper claim that Cosens was simply using his wife as part of “a wide range of ingenious gimmicks” to attract audiences to his theatres (12). The contemporary evidence suggests that Señora Spencer was more involved in the business than Pike and Cooper concede, and that promoting her profile in the media benefited the entire enterprise.

It was on this very point that the later 1918 court case focused. Around 1911, Cosens Spencer placed the various film businesses (distribution, exhibition, and production) in the hands of a public company, Spencer’s Pictures, in which he became a director and shareholder. In 1912 while he was overseas, the board of directors voted to merge the company into what became known after further mergers in 1913 as the Combine (Australasian Films/Union Theatres). In selling his goodwill and creating a public company in 1911, Spencer had made a legal undertaking that he would not, at any time within ten years from the date of the agreement, to quote the *Newcastle Morning Herald*, “either solely or jointly with or as manager or agent for any other person or company permit his name to be used in connection with any picture show business in the Commonwealth” (4). The *Sydney Morning Herald* on July 30, 1918, tells us that the agreement went even further, stating that Cosens Spencer “could not, directly or indirectly carry on or be interested in any business similar to that which he had sold” (4). It was further alleged that Señora Spencer had “without justification participated in breaches of the agreement by erecting moving picture shows in Brisbane and Newcastle.” It would appear, however, that it was only when Spencer was believed to be bidding on the lease of the Lyceum that the two were sued by Spencer’s Pictures, Australasian, and Union Theatres for a breach of contract following application for an injunction against their acceptance of the lease.

The *Newcastle Morning Herald* reports that the affidavit alleged that Cosens Spencer had purported to act on his wife’s behalf when in reality he was the proprietor of the Brisbane and Newcastle theatres (operated ostensibly in the name of Señora Spencer). It also alleged that he was peculiarly interested in a contract for Famous Players and Lasky films, which were shown in Brisbane and Newcastle—thus establishing a film business in competition with the Combine (4). *The Lone Hand* describes one further aspect of the suit: “The Male defendant permitted his wife, the female defendant, to use the name of Spencer at these picture shows” (444).

The Spencers' defense involved a general denial of any wrongdoing, but, as reported by the *Sydney Morning Herald* on July 30, Cosens also "denied that he had entered, as alleged, into covenants on behalf of himself and his wife as partners," and vigorously rejected the idea that the theatres were only "ostensibly" conducted by and in the name of his wife (4).

The first two days of legal debate centered on two matters: first, the specific activities of Cosens Spencer in assisting with negotiations for the establishment of his wife's theatres, and, second, the terms of the original 1911 sale of the businesses in which it was revealed that although the Spencers held a joint bank account, the covenant of sale did not include Señora Spencer. *Theatre Magazine* presumed that the purpose of this evidence was to give rise to speculation: "If Señora Spencer was not a partner with Mr. Spencer in his original business, she came to have the means to suddenly begin acquiring expensive properties and erecting palatial theatres thereon" (32–34). It is also conceivable, however, that, in shielding Señora Spencer from the covenant of sale, Cosens Spencer was already preparing a way for her to expand her business activities independently of his own business plans.

After just two days of proceedings, the parties settled and the two granted to give up all direct or indirect interest in the moving-picture business in Australia for at least seven years. More importantly, Señora Spencer's theatre leases and other properties were taken over by Union Theatres for the same term. It proved to be an inauspicious end to a promising enterprise, and the Spencers left shortly afterwards for Canada. It is hard to know how the case might have proceeded had it continued beyond the second day. Certainly to the paying public, the cinemas were owned and directed by Señora Spencer. Advertising for her cinemas made it abundantly clear that she was "director" of proceedings. One example, an advertisement in *The Darling Downs* (April 5, 1916) promoting the imminent launch of the Toowoomba Strand, indicates this: "SEÑORA SPENCER seeing no reason to doubt that the high class features, style, and novelty, that characterise the enormously successful Cinematograph Exhibitions conducted by her at the Strand Theatre, Brisbane, would prove immensely popular with the Toowoomba public, has arranged to extend her operations to this city and has accordingly secured an extensive lease of the Theatre in Margaret Street, now almost completed, to be known as the Strand Theatre" (1). This emphatic personification of the ownership of the theatre is typical of the Strand, but not typical of other cinema advertising at this time.

The case of Señora Spencer presents some interesting challenges for feminist film historians. It prompts us to consider that perhaps, in some cases, rather than embarking on a venture of disentanglement, it is just as important to understand how the careers of women film pioneers were practically if not always formally implicated with their husband's or partner's, and that this recognition need not diminish our appreciation of their singular achievements. Despite Cosens Spencer's protestations of his wife's autonomy as a cinema proprietor and the courtroom evidence that strongly suggested she was not a legal partner in their earlier businesses, it is highly probable that the two worked closely together in their various exhibition enterprises. The entwined business activities of Señora Spencer and her husband, Cosens, can then be seen as illustrating

both the evident opportunities and liabilities afforded by personal partnerships for women's forays into the Australian motion-picture industry at this time.

On returning to Canada, Cosens Spencer became a property magnate operating one of the largest cattle ranches in British Columbia. On September 10, 1930, he turned a rifle on two of his employees, killing one of them before running into the surrounding countryside with a number of troopers and a posse of civilians in pursuit. His wife posted a \$500 reward for information leading to his return, dead or alive. His body was retrieved several days later from the Chilco River in which he was presumed to have committed suicide.

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Filmography

B. Filmography: Non-Extant Film Titles:

1. Señora Spencer as Producer

Adelaide's Fire Service, 1906; *Happenings Taken at the Adelaide Show*, 1906; *Adelaide the City*, 1909; *Fighting the Flames*, 1909; *Zoological Gardens*, 1909.

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