Shot at dawn

Michael Fallow, Feb 24 2018

Supplied
Victor Manson Spencer

"Are you there, padre?"

Blindfolded Bluff soldier Victor Spencer called the words from his personal darkness as the sun rose on a desolate crossroads called Mud Huts, February 24, 1918.

"Yes, lad," Rev Hoana Parata called back.

Supplied
Jade Gillies as soldier Private Victor Spencer and Lizzie Dawson as Winton baby farmer Minnie Dean in A Cry Too Far From Heaven.

Then he started to read the Lord's Prayer.

By one account, they didn't even let him get to the end before bullets tore into Victor Spencer, deserter that he was.

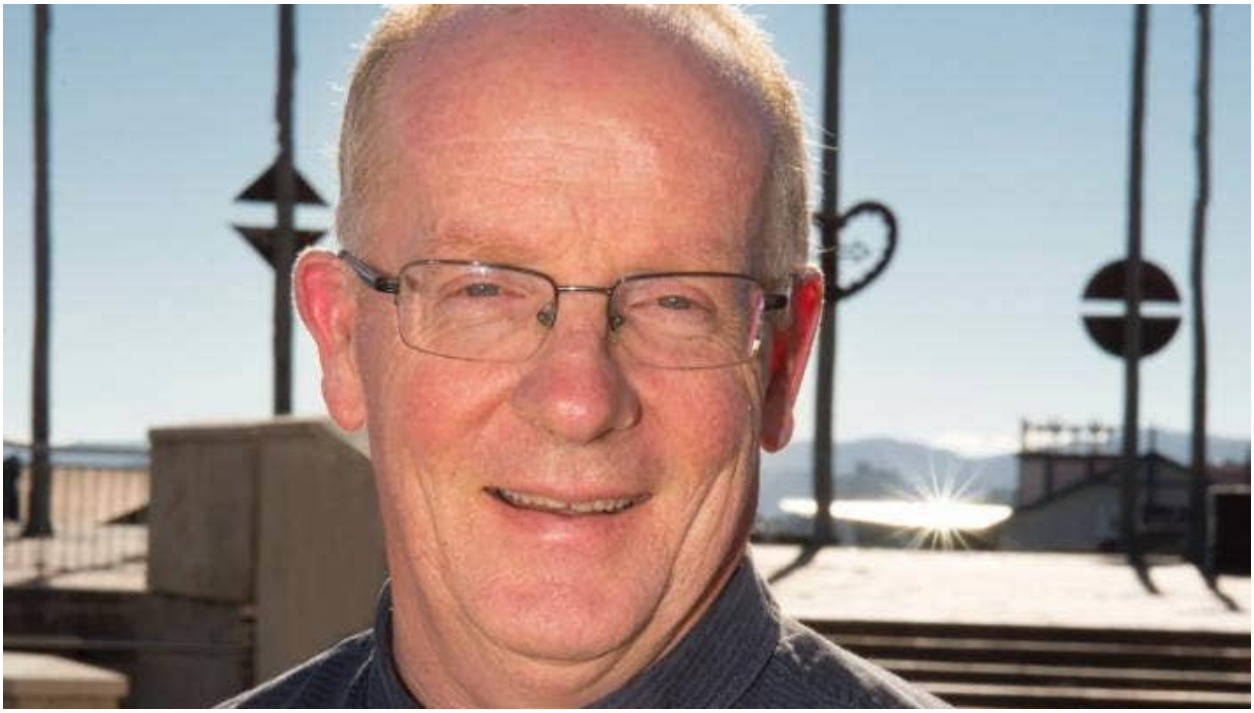
He showed courage at the end, Parata later wrote his aunt Sarah Goomes.

Supplied
Jade Gillies plays executed soldier Victor Spencer in A Cry Too Far From Heaven

"I was with your nephew Victor Spencer during his last earthly hours," he told her.

"You will have heard of his death from the NZ authorities so I need not dwell on that ... "

"You will be pleased to know that Victor met his death very bravely and never flinched at the last - he wished us to let you know how sorry he was that he was the reason of causing you any anxiety with regard his career as a soldier, and asked we convey to you his love."



John Nicholson
Mark Peck: himself presented with a white feather.

Kindly meant, the words could hardly douse the shame Spencer's family would feel, through the generations, that their boy died like that; the last of five New Zealand soldiers executed in World War 1, a coward in the eyes of the world.

And yet, there were reports that the execution sent a wave of revulsion through Spencer's unit, the First Battalion of the Otago Regiment.

Writer John A Lee, himself honoured for bravery, was among those crying bullshit. He called Spencer an innocent out of his depth.

Robyn Edie
Victor Spencer's late second cousins Fred Ryan and Spencer Morrison, both of Bluff with his medals and official pardon.

Born in Otautau, Southland, November 1, 1896, Victor Spencer was an orphan by seven.

After the death of his parents James and Mary Spencer he went to live with his Aunt Sarah in Bluff.

Andrew Gorrie
Medals presented to the family of Victor Spencer

So keen to get to war, like many young men he'd lied about his age.

An 18-year-old pretending to be 20, he was small with it. Just 1.6m (5 foot 4in) tall, and nine and a half stone.

From his military training in Trentham in 1915, he'd sent a buoyant postcard back home after a parcel arrived from his auntie.

"I can tell you the birds (muttonbirds) went all right. Did you send some socks up? If you did I have not got them yet."

"There is great excitement up here now ... I have got a promotion to Lance Corporal, so I am no longer a private. My next step is to get corporal, which I think I shall get before I come down on leave."

But the promotion to a one-striper was a recommendation only, and it came to nothing. A private he remained. Then a fortnight before he sailed on August 14, he went into Trentham hospital with the flu.

Spencer served throughout the Gallipoli campaign, harrowing enough for all involved, but it was likely during frontline duty in France from May to July 1916, that his life truly turned hellish.

The Otagos suffered 163 casualties and remained in the line without relief for a harrowing 32 days. It broke many men who later became disciplinary cases.

Historian Christopher Pugsley, the author of *On the Fringe of Hell*, numbers Spencer among them. The military authorities at the time did not recognise the nature of combat fatigue.

July 10, a Minnenwerfer "whizz bang" shook the trenches near Spencer. He was admitted to Field Ambulance suffering from shell shock then sent to the divisional baths to convalesce.

By July 29 he was back with his unit, but promptly went missing. Captured and court martialed, he was imprisoned, with hard labour, rejoining 1st Otago on June 19 1917.

But he had no mates, they were dead or gone. To those around him, he was a stranger with a bad record.

Spencer deserted for a second time on August 13, while his comrades were supplying parties for wiring and frontline trench work.

He was gone for the rest of the year and on January 2, military police burst into a house at Morbecque, where he had been living with a French woman and two children, and hauled him from bed.

His written statement to his court martial was nothing if not brief.

"While in the trenches at Armentieres I was blown up by a Minnenwerfer and was in hospital for about a month suffering from shell-shock. Up to this time I had no crimes against me. Since then my health has not been good and my nerve has been completely destroyed. I attribute my present position to this fact and to drink."

The court martial must have noted that no appeal for clemency issued from his own battalion, in spite of his youth and long service.

So on January 17 they sentenced him to death - and then again on January 29. The tedious charade of a second court martial was necessary because the date of his desertion had been incorrectly record.

Confirmation of the sentence had to come from the highest level, this of course being the Brits and Field Marshal Douglas Haig.

Pugsley has cautioned against the idea that the fate of soldiers like Spencer was decided by some aristocratic British military autocracy. In fact most of the stony judgments proposed by NZ citizen officers - "a microcosm of New Zealand society sitting in judgment of their own" - were quashed. But not Spencer's, nor those of Frank Hughes, John Sweeney, and John King, executed for desertion, or John Braithwaite, for mutiny.

It was Invercargill MP Mark Peck, later to become a Wellington city councillor, who in 1998 presented Parliament with a bill seeking a posthumous pardon for the five.

Technically, the men's files were meant to be sealed for 100 years but Peck had argued that if a historian like Pugsley could get them, a legislator preparing a bill should not be denied.

They duly arrived, nice neat records, and the first one he opened was Spencer's.

"There was a file note, right there on the front page, on a piece of military notepad. Scrawled across it in heavy black pencil - same sort of pencil a builder would use to mark wood - was DEATH.

"It just sent a chill down my spine."

The pardon campaign had a considerable knockback when an independent inquiry by retired Court of Appeal judge Sir Edward Somers instead recommended only the five be officially recognised as victims of war.

The RSA didn't like his bill either.

"Not nationally, no," Peck says. "But branches did. When you sat down with guys in Invercargill or Hamilton, they were so delighted someone was doing something."

Crucially, even though he was an Opposition MP, his bill had enough support to pass its first reading.

Well pleased, he entered his office the next day.

"On my chair I found a white feather."

"Someone ... I never found out who and I don't care ... felt so strongly abut it they entered my office at night and put it there."

Such were the conflicts that the idea of a pardon had stirred up. At one level, high-minded historians were concerned about the perils of revisionism. On a less elevated plain, other people clung to the stony judgment of cowardice under fire being unforgivable.

The Southland Times, in Peck's own electorate, was hardly wholehearted in support. Far from it.

I wrote that editorial myself: "Mr Peck's bill was based on the belief that a wrong was done to Spencer. By modern-day standards it is easy to agree.

"But many a court in bygone times, military or not, has issued verdicts and enacted penalties that would stick in the craw of a modern society. To try to overturn all those findings would be futile. To pick one or two feel good favourites, really, is an indulgence.

"The Spencer story has been told and retold sufficiently that his memory does not need rehabilitation. His family has long since been in a position where it can hold its head high and his memory dear."

Under the Helen Clark Government the bill passed into law,

"Our conscience wouldn't rest," she said, "if we didn't do something to retrospectively pardon those soldiers ... It's just so pitiful that men who were sick, drunk, epileptic, shell-shocked ended up being executed."

Peck's own view was scarcely complicated. This was not re-writing history. The country was simply entitled to look at that history and, where it could, correct things that weren't right.

And he had been so struck by the burden endured by the families of the dead men.

Peck particularly recalls time spent with Spencer's second cousins, Spencer Morrison and Fred Ryan, both now deceased, each with their own honourable military histories, who had showed him "so clearly" how distraught the family had felt, and later the sense of relief and peace.

After the pardon, Victor's medals were issued to the family. Morrison and Ryan, with family historian Georgina Ellis, had returned to his graveside in Belgium in 2007 and delivered his pardon there. They also visited the graves of the four other men.

Morrison called it "absolute closure".

"It was something we felt we needed to do."

Victor Spencer's story has long since ceased to be a family secret, or shame, in the south.

The Bluff Maritime Museum features his posthumously issued medals, Parliamentary pardon, and his certificate of service. A video of family members visiting his grave still draws attention.

"It gets a great response," says curator Trish Birch.

Most strikingly, the story has become part of a memorable piece of Southland theatre, in a production *A Cry Too Far From Heave*n written by actors Angela Newell, Jade Gillies and Lizzie Dawson. Combining the execution stories of Spencer and Winton's hanged baby farmer Minnie Dean, it has toured Southland, the country, and featured at the Edinburgh Fringe Festival.

Which is better known for its comedy.

"Yes," says Gillies, "that was a point of difference."

The play has drawn uniformly strong reviews as a compelling piece, nowhere moreso than in the south where the emotional stakes were high.

Its script was rewritten a few times and, towards the end, Gillies found inhabiting the role of Spencer not just emotionally intense, but physically draining.

"By then I was playing him shell-shocked the whole time. On stage, shaking, for 50 minutes. That was pretty exhausting ... let alone the execution [scene]."

It was always a challenging piece to write, because there was so little direct material to go by.

"Really, at the start, we just had his last words, his court martial statement and postcard home. In the end we pieced together a story based on other accounts and I think we captured him pretty well.

Touring the production the cast would continually meet Spencer's relatives. Perhaps fittingly the most memorable benediction came from the final audience, on Stewart Island, the front row given up to extended family members.

Proud ones, well pleased his story was being brought to the world.

Looking back at all those performances, does any moment register most deeply for Gillies?

His answer is swift, emphatic.

"Are you there, padre?"

Born in 1896, Victor was the only child of James and Mary nee Manson. A descendant of the first pakeha settler at Bluff in New Zealand's South Island, he lost both of his parents to tuberculosis before he was 10 years old and an infant brother to enteritis. Because of this Victor was raised by his Father's sister Mrs Goomes. After leaving school he was an apprentice engineer in Bluff and was a keen rower and was a member of a cox rowing crew. Victor answered the call for volunteers in April 1915, declaring his age to be 20 when it was actually 18. He stood 5 feet 4 inches tall and weighed 131 pounds, his complexion was dark hair dark and eyes brown. He entered Trentham Camp for training with the 6th reinforcements on 18th April 1915, during his initial training Victor was struck down with influenza just before his reinforcements departure overseas, he managed to recover quickly and 2 weeks later on the 14th of August he left NZ aboard the ship 'Willochra' as part of the 6th reinforcements of 2,363 men. Arriving in Egypt on 19th September, he was soon shipped off again to Mudros on the 1st of October 1915 and joined his new unit there 14th South Otago Company of the Otago Infantry Battalion who were recuperating there at Sarpi Camp after a much needed break from Gallipoli.

In early November Victor and his unit returned to the Gallipoli peninsula as it neared winter, mercifully the campaign was ended and as the snow increased the New Zealanders were withdrawn around the 20th of December from Anzac Cove finally reaching Egypt a week later. Victors 6 weeks at Gallipoli was a learning curve for what was to come, continued training in Egypt and the creation of the NZ Division saw Victor and his Otago Battalion now renamed 1st Battalion Otago Regiment depart from Egypt for France on the 6th of April 1916. Landing in Marseille a week later, his unit was moved towards Armentieres where they were placed in billets. Victor first entered the frontline here on the 21st of May 1916, with spells in and out of the line during this time it was not until his unit received an attack by German Mortar fire called Minenwerfer that the trouble began. Victor was partially buried in one of these attacks on the

10th of July, he was taken out of the line and treated at number 2 NZ Field Ambulance for shell shock. This moment would define his service, he was given light duties at the NZ divisional bath unit to help him recover 2 weeks later he was sent back to his unit in the front lines. He was immediately reported missing, caught by the Military Police on the 12th of August he was sentenced to 18 months imprisonment with hard labour. He was moved to Number 1 Military Prison at Rouen in September to complete his sentence, Victor was released to his unit early in June 1917 after completing half of his sentence. He remained with the 1st Otago's until going missing once again on the 13th of August. Found by Military Police again on February the 2nd 1918, Victor was living with a French woman and her 2 children. He was taken into custody and was to face a field general court martial, during his trial Victor stated that since Armentieres in July 1916 his health was not good and his nerve had been destroyed. His Captain also gave a character reference in his defense saying he was a good soldier and he could find no fault with him. The court decided not to call for medical evidence instead finding him guilty of desertion. It was ordered that he was to be shot by firing squad, his last rites were given by Chaplain Reverend Hoani Parata and at 6.40am on the 24th February 1918 Victor was executed by firing squad. Reverend Parata later wrote to his family telling them that he had met his death bravely and never flinched. Upon his death all of his pay was forfeited and his family were not eligible for his medals earned while in His Majesty's service. He was 1 of 28 kiwi soldiers sentenced to death during WW1 of which 5 were executed, the NZ government under Helen Clark pardoned these 5 men in the year 2000 and duly passed on Victor's medals to his family in 2005. (*Barry Gamble Jan 2021*)

His service record gives his date of birth as 1 November 1894 but BDM Online have it as 1 November 1896. If the latter date is correct he would have been 18 years old when he volunteered in April 1915.

1918: Victor Manson Spencer, Otago Regiment deserter

February 24th, 2020 Headsman

Text from New Zealand's Pardon for Soldiers of the Great War Act of 2000. Spencer was one of four New Zealand enlistees shot for cowardice during World War I,* all of whom were posthumously exonerated by this legislation.

Pardon of Private Spencer

Private Victor Manson Spencer, regimental number 8/2733, a member of the 1st Battalion, Otago Regiment, —

a. who was charged with having committed on 13 August 1917 the offence of desertion; and
b. who was, by a Field General Court Martial held on 17 January 1918, convicted of that offence and sentenced to death; and
c. who was again sentenced to death on 29 January 1918 after the Field General Court Martial had revised its finding and had convicted him of having committed the offence of desertion not on 13 August 1917 but on 25 August 1917; and

d. who was, after the sentence of death imposed on him on 29 January 1918 had been confirmed, executed by firing squad in accordance with that sentence on 24 February 1918, —

is, by this Act, granted a pardon for that offence of desertion.

He's buried in Belgium. Spencer was also covered by the UK's 2006 Armed Forces Act, pardoning 306 British and Commonwealth soldiers executed during the Great War.

Spencer's pardon cleared the way for his family to receive several decorations that had been deprived him: the 1914-15 Star, British War Medal, Victory Medal, New Zealand Certificate of Honour and Anzac Commemorative. These items were recently in the news when the family accidentally sold and then successfully retrieved them.

* Another Kiwi, Jack Braithwaite, was executed for mutiny in 1916. He was also included in Wellington's posthumous pardon bill.

About Pte. Victor Manson Spencer

At dawn on 24 February 1918, Private Victor Spencer became the fifth and final New Zealander to be executed during the First World War.

Victor Manson Spencer was born in Ötautau on 1 November 1896. His early years were marked by loss, beginning with the death of a baby brother from enteritis. His mother, Mary, died of tuberculosis when he was only a toddler, and he went to live with an aunt, Sarah Goomes, in Bluff. His father, James, later also died of tuberculosis, leaving Spencer orphaned by the age of ten.

On leaving school he became an apprentice engineer with Bluff firm Metzger and Matson. In his spare time he was cox for a local rowing four – his slight build made him perfect for that role. He stood only five feet four inches (1.6 metres) tall and weighed 131 pounds (59 kilos), according to the enlistment form he filled out to join the New Zealand Expeditionary Force in April 1915. In an old sepia photograph taken in army uniform, Spencer looks more schoolboy than soldier, but recruiters accepted his claim that he was 20.

He did his military training at Trentham, and a postcard written to his Aunt Sarah tells of his hopes for promotion, and the grateful receipt of a food parcel of muttonbirds. However the promotion did not come through, and Spencer held the rank of private when he served in Gallipoli with the 1st Otago Battalion.

After a period of rest and recuperation in Egypt the New Zealand forces were reorganised and in April 1916 Victor departed for the Western Front with the New Zealand Division.

The division was based first at Armentières, a relatively quiet sector of the front, where they adjusted to the new conditions of warfare. On the night of 9–10 July Victor endured a heavy enemy bombardment – an experience that defined the rest of his war service. Wounded, he was

evacuated to a field ambulance and found to be also suffering from 'shell shock'. When he was sent back to the trenches after a few weeks in hospital, he immediately went missing.

Victor was caught by the Military Police on 12 August and sentenced to 18 months' imprisonment with hard labour. In June 1917 his sentence was suspended and he returned to his unit. Two months later he went missing again. He was found on 2 January 1918, living with a French woman and her two children, and was charged with desertion. At a court martial, Victor recounted his experience at Armentières, stating, '[s]ince then my health has not been good and my nerve has been completely destroyed.'[1] The court decided not to call for medical evidence in relation to this claim and instead found him guilty. He was sentenced to 'suffer death by being shot'.

Early on the morning of 24 February 1918 Victor Spencer was executed by a firing squad. His grave lies in The Huts Cemetery, near Ieper in Belgium, and he is remembered on the war memorial in Bluff. In 2000, Spencer and the other four New Zealand soldiers executed during the war were pardoned by the government.

MORE INFORMATION ABOUT THIS CASE FROM THE "SHARED HISTORIES" WEBSITE:
We have been looking at the execution of New Zealand soldiers on the Western Front during the First World War. We have looked at primary documents relating to this. In particular we looked at documents held at the *National Archives in Wellington*. [Archive File: *AD1 767 22.30.74 'Courts martial of Pvt Victor Manson Spencer'*.] The photos above show his final plea, his death sentence and the coded telegram back to New Zealand announcing his death.

Victor Manson Spencer was from Otahuhu in Southland and joined the army at the age of 18 years in 1915. He lied about his age and told the army he was 20 years old. He fought the Turks at Gallipoli at the Apex below Chunuk Bair with the 14th Company of the Otago Regiment.

In 1916, he was sent to France, arriving on the front line at Armentières on 21 May 1916. His battalion suffered high casualties during a disastrous raid on German lines in July 1916, resulting in 163 casualties including eight officers. Nevertheless, they remained on the front line for another 32 days without relief. The demands of this prolonged time in the trenches had a negative effect on men. The stress and combat fatigue broke men and many never recovered. After this Spencer went absent a number of times. The stress of going to the front line may have been too much for him. His luck ran out when he was absent from 13 August 1917 until arrested on 2 January 1918. During the time he was absent his unit was supplying parties for wiring and front line trench work, and had been in three offensives: the attacks on 4 and 12 October at Passchendaele and the attacks on Polderhoek Chateau on 3 December 1917. This made his absence a serious offence and his officers gave him no sympathy. He faced a Court Martial to decide what punishment he would receive.

Spencer's defence was that the physical and mental impacts of war were going unrecognized and underestimated by the authorities. In his statement during his trial, he said *"While in the trenches of Armentières I was blown up by a Minenwerfer (Mine launcher) and was in hospital for about*

a month suffering from shell shock. Up to this time I had no crimes against me. Since then my health has not been good and my nerves have been completely destroyed. I attribute my current position to this fact and to drink".

The officers at the Court Martial decided that Spencer's statement did not merit further enquiry nor mitigation of sentence. **He was sentenced to death on February 21st 1918 and executed by 24 February 1918 on 6.45 a.m.** He is buried at The Huts Cemetery, in Belgium.

ment by the accused
No 8/2733 Private V. M. Shences
in Mitigation of Punishment

'D' Company
Platoon

Left New Zealand with the
6th Reinforcements & served
on Gallipoli.
When I left New Zealand
I was 18 yrs. old.
I came to France with
the N.Z. Division in
April 1916.
While in the Trenches
at Armentieres I was blown
up by a Minnenwerfer.
I was in Hospital for
about a month suffering
from Shell-shock. Up
to this time I had no
crimes against me
Since then my health
has not been good
& my nerve has been

SCHEDULE

2.

completely destroyed.
I attribute my present
position to this fact
& to drink.

V. Spencer

NEW ZEALAND POST OFFICE TELEGRAPHS.