

SHORT HISTORY OF ELECTIONS AND VOTING IN NOVA SCOTIA 1758-2006

From Representative to Responsible Government 1758-1847

On 20 May 1758, Governor Charles Lawrence issued the writs for the election of Nova Scotia's first legislative assembly returnable on 2 October 1758 for twenty-two members.¹ Between 1758 and the advent of responsible government in 1847, there would be little change in the conduct of the sixteen elections held in the intervening years. Governors issued writs to county sheriffs who acted as returning officers and were responsible for the whole conduct of elections. They decided the dates for polling and the locations of polls, which moved to different locations within counties with the result that elections took weeks. Sheriffs kept poll books in which they recorded the votes of each elector, known as open voting. It was a basic tenet of British parliamentary democracy that only those who held property in freehold could vote, which meant in Nova Scotia that all males over twenty-one years who could demonstrate property ownership could vote.

By the 1830s elections had become fiercely contested. They were as well open to every abuse inherent in the system of moving the poll to different locations within counties and particularly open voting. At each polling place candidates kept "houses of entertainment" to provide lodgings of a sort, food, rum in abundance, and stabling as long as each poll kept open, resulting in considerable violent behaviour.²

From Simultaneous Polling to Universal Suffrage 1847-1920

Not until 1847 did public pressure force the Assembly to legislate simultaneous polling "to promote purity of Elections, and... the diminution of

¹ Minutes of His Majesty's Council, 20 May 1758, RG1, vol. 189, Nova Scotia Archives and Records Management (hereafter NSARM).

² For "houses of entertainment" see Brian Cuthbertson, *Johnny Bluenose at the Polls: Epic Nova Scotian Election Battles 1758-1848* (Halifax: Formac Publishing, pp.4-5).

expense”, as the preamble to the act so singularly described its purpose.³ Simultaneous polling provided for the division of each county into a sufficient number of electoral districts, each with its own polling station, so that electors could be polled in a single day. It laid the basis for the conduct of elections to the present day. Responsible government meant that members of the Executive Council (Cabinet) were no longer Crown appointees, but were now constitutionally responsible as ministers of the Crown to the Assembly.

If simultaneous polling ended evils associated with “houses of entertainment”, it had not ended those of open voting. To deal with fraudulent voting the Assembly in 1851 adopted a ratepayers’ franchise.⁴ However, because of such abuses as tampering with assessment rolls, in 1854 the Assembly passed an act to establish manhood suffrage with only a residence qualification.⁵ Although Nova Scotia had become the first colony in British North America to introduce manhood suffrage, it left the determination of voter eligibility to county assessors who were often incompetent and partisan. Party manoeuvring between Liberals and Conservatives over such issues as railways and free compulsory education resulted in a return to assessment franchise in 1863.⁶ However, the result of the tactics allegedly employed in the 1870 by-election that sent Joseph Howe to Ottawa, the Assembly adopted the secret ballot, which went a long way to reducing electoral fraud.⁷

Women certainly voted in 1793 and 1806 elections and they were not

³ *Nova Scotia Statutes*, 10 Vic., c. 1 (1847).

⁴ *Nova Scotia Statutes*, 14 Vic., c. 2 (1851).

⁵ *Nova Scotia Statutes*, 17 Vic., c. 6 (1854).

⁶ *Nova Scotia Statutes*, 26 Vic., c. 28 (1863).

⁷ *Nova Scotia Statutes*, 33 Vic., c. 24 (1870).

expressly disqualified until the 1854 Elective Franchise Act.⁸ Agitation for women's right to vote began in the 1880s as an aspect of the work of the Women's Christian Temperance Union.⁹ A bill to allow unmarried women with property to vote in municipal elections passed in 1887. Bills in 1893 and 1897 to extend the franchise would have passed if not for the opposition of Attorney General J.W. Longley. Among his reasons was that one of the true functions of women was "to charm men and make the world pleasant, sweet and agreeable to live in..."¹⁰ During the First World War Canadian women gained the vote. In Nova Scotia a 1918 amendment to the Franchise Act provided that "Every person (male and female) shall be entitled" to vote.¹¹ Two years later the property qualification was removed and universal suffrage finally prevailed.¹²

Recommendations of the Provincial Electoral Commission, 1992

No further significant changes to electoral law occurred, except for lowering the voting age to nineteen in 1970 and again to eighteen in 1973, until 1992.¹³ A report by the Provincial Electoral Boundaries Commission took the position that only

⁸ For women voting see, Brian Cuthbertson, *Johnny Bluenose at the Polls*, pp. 9, 152-53 & 220.

⁹ See Catherine L. Cleverdon, *The Woman Suffrage Movement in Canada* (Toronto: University of Toronto Press, 1974), pp. 157-77.

¹⁰ As quoted in *ibid* from Debates and Proceedings of the Nova Scotia House of Assembly, 1895, p. 140. The full quote read: ... first, the bearing and bringing up of children, and this is the highest. Second, the creating of home and the beautifying of home life... Third, to charm men and make the world pleasant, sweet and agreeable to live in. Fourth, to be kindly and loving, to be sweet and to be cherished, to be weak and confiding, to be protected and to be the object of man's devotion. The chief women involved in Nova Scotia women's suffrage were E.M. Murray, Dr. Agnes Dennis, Eliza Ritchie, Mary Ritchie and Edith Archibald. It was almost entirely an upper and middle class movement. Catherine Cleverdon records the story of a women's suffrage canvasser in a home where the wife was trying to do three or four chores at once while her husband sat comfortably by the stove. When asked "Don't you want to vote?", the wife replied "No... If there's one thing John can alone, for goodness' sake, let him do it!"

¹¹ *Nova Scotia Statutes*, 8-9 Geo. V., c. 2 (1918).

¹² *Nova Scotia Statutes*, 10-11 Geo. V., c. 49 (1920)

¹³ *Nova Scotia Statutes*, 19 Eliz. II., c. 41 (1970) and 22 Eliz., c. 29 (1973).

a broader view of political representation would allow for a fair pattern of constituency boundaries reflecting the diversity of Nova Scotia's political culture. It concluded that the interests of the "Acadian, Black and Mi'kmaq communities" should be protected.¹⁴ The Commission recommended the retention unchanged of the existing ridings of Clare, Richmond and Argyle with their substantial Acadian populations.

It also recommended the consolidation of the Black communities in the Preston area within one provincial constituency, to be called Preston, in which the Black population would constitute between 25 to 35 percent of the total constituency. An act passed in the Assembly on 30 June 1992 incorporated the Commission's recommendation. In the ensuing election a year later, three Blacks stood as candidates. Wayne Adams won the seat and on 11 June 1993 he became Nova Scotia's first Black cabinet minister.

At the time the Commission submitted its report, it had not received a proposal for a proposed new seat from the Mi'kmaq community and this question has remained unresolved.

¹⁴ *Effective Political Representation in Nova Scotia: The 1992 Report of the Provincial Electoral Boundaries Commission* (March, 1992, p. 2.