

Nova Scotia's Representative Assembly, 1758: A Historical Perspective

The year 1758 was a time of drama and conflict in the territories that the British authorities claimed as the colony of Nova Scotia. In reality, Nova Scotia was a weak and vulnerable project. It was threatened by competitors who rejected the British claims. One challenger was France, which was at war with Great Britain at this time and claimed much of the same land as part of its own North American empire. Although the British capture of the Cape Breton fortress of Louisbourg in July 1758 proved eventually to be an important turning-point, there was at first no certainty that it would reverse the tide of a war that had been going in favour of the French.

Nor did the British claim to Nova Scotia look solid when compared with the long and well-established existence of Mi'kma'ki. For the Mi'kmaq, the fall of Louisbourg was troubling news, for it effectively ended the chance for native fighters to join with the French in opposing British encroachments. Nevertheless, the Mi'kmaq - like the neighbouring Maliseet - retained a degree of territorial control that confined the British to Halifax, Lunenburg, Annapolis Royal, and a few other isolated areas. Treaties concluded in earlier years had not prevented hostilities from recurring. Even harsh military measures by the British could neither disguise the reality of native ascendancy nor blunt the force of native raiding warfare. Not until the early 1760s would a renewed round of treaty-making take place, although without any native land surrender.

Compounding the difficulties faced by Nova Scotia, as it existed in 1758, were actions originating from the British themselves. It was just three years since the beginning of the Deportation of the Acadians, and the *Grand Dérangement* continued all the more forcefully in

1758 itself. The fall of Louisbourg prompted a sequence of fierce expulsions of Acadians who had been living in Cape Breton and on the Island of Saint John, later known as Prince Edward Island. The human cost of the Deportation, measured in death, poverty, and dislocation among some 14,000 Acadians, was vast. There was also a crucial economic cost, in that the expulsion destroyed the most productive segment of the non-native economy of Nova Scotia: Acadian agriculture in the Bay of Fundy settlements, and its related trades. The colony had to face the future with a small and falling colonial population, an effectively tiny territorial base, and an economy with little visible strength outside of the immediate proceeds of the ongoing war. To make matters worse, frequent disputes pitted the governing faction that surrounded Governor Charles Lawrence against leading merchants of Halifax, many of whom had New England origins.

For some of those who wrestled with the question of how to salvage Nova Scotia, the calling of a representative assembly was an important part of any solution. As well as the contention that the colony's laws were invalid in the absence of an assembly, arguments were advanced that representative institutions would help to defuse internal conflicts by heading off complaints about secret or oppressive governing measures by Lawrence and his council. A broader argument depended on the view that only through settlement by colonists from New England could the colony's economic problems be resolved. All the older settlement colonies, including Massachusetts and its New England neighbours, had longstanding representative assemblies. The calling of an assembly in Nova Scotia, so the argument went, would reassure potential settlers that they were coming to a colony where they would find institutions familiar to them.

However, the issues were not that simple in practice. The advocates of a representative assembly included wealthy merchants, such as Malachy Salter and others who shared his New England roots, who were political opponents of the governor. Lawrence, while putting up obstacles to the calling of the assembly on grounds ostensibly based on the argument that the colony's small population and military insecurity made it impractical, also feared - rightly - that the assembly would become a venue for advancing the political and economic interests of his adversaries. The British government, through its Board of Trade, eventually ended the controversy. Recalling that an assembly had been envisaged in the instructions given to successive governors since 1749, the Board insisted that the promise must be fulfilled so that men of property could have their voice in the governance of the colony.

When the first Nova Scotia assembly met in October 1758, it had been elected through a system that entitled any Protestant, male, freehold property-owner over the age of 21 to vote or to run for election. In the following year, the franchise was narrowed by raising the necessary amount of freehold property to a level that excluded poorer inhabitants. Representative institutions - representative, that is, of property and its owners - did not, at the time, mean democratic institutions. The path towards inclusion of women, men of lesser wealth, Catholics and those of other religions, and people of non-European descent was going to be long, tortuous, and contested. Nor did the launching of the assembly necessarily help to resolve all the pressing difficulties faced by the Nova Scotia project in 1758. The settlement of New England Planters did proceed in the early 1760s, and in the same era direct French military rivalry came to an end. Yet the economic damage wrought by the Deportation of the Acadians took decades to repair. The treaty-making of 1760-61 seemed to promise a new coexistence of Nova Scotia and

Mi'kma'ki in peace and friendship, but later waves of colonization created disruptions sufficient to ensure that the process of reconciliation was still incomplete almost 250 years later.

Nevertheless, as a product of the circumstances of the late 1750s, the creation of the Nova Scotia assembly set the colony's institutions on a new trajectory. The strongly military character of the government exercised by officers such as Lawrence was moderated, and a fusion took place between the representative model that existed in older settlement colonies and the demands of the aggressive British imperial thrust in various parts of the world that characterized the mid-1700s. As political values changed and empire gave way to new structures, so Nova Scotia's assembly would adapt and evolve.

John Reid
Department of History
Saint Mary's University
September 2007