

The Provincial Election of 1758: The First Vote in Lunenburg, Nova Scotia

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Election records can prove to be a valuable source of information for genealogists in that they can be used to establish the presence of an individual and by extension a family in a community. Election rolls and voters lists, which are common in the 20th century, exist for the 19th century. These early voters' lists can serve as an informal census for areas where censuses are lacking. Lunenburg, Nova Scotia has a voter list from the legislative election of 1758 which was the first vote in modern-day Canada for an elected assembly. Uniquely the Lunenburg voters' list is actually the election results with the names of the voters and for whom they voted.

Prior to 1758 Nova Scotia was ruled by Governor-in-Council. There was no legislative assembly in British-ruled Nova Scotia from the time of the conquest in 1710 until during the Seven Years' War in 1758. The Lords Commissioners for Trade and Plantations (or simply the Board of Trade) in London through much of the 1750s pressured the various governors in Nova Scotia to establish an elected assembly. Col. Charles Lawrence, who in 1753 oversaw establishing Lunenburg, was governor of Nova Scotia in the mid to late 1750s. Lawrence was reluctant to create an assembly and saw it as unnecessary distraction while he was involved in Nova Scotia's defence during the Seven Years' War. Consequently Nova Scotia had the distinction of being the only province in British North America without civil government and an elected assembly.

The lack of civil government with an elected assembly was a drawback to attracting settlers from the older, established colonies of New England where the population was expanding and seeking new lands. New Englanders wanted guarantees that they would have governmental institutions the same as or similar to what they had become accustomed in New England. In 1758 the Board of Trade, anxious to attract settlers to found new townships, ordered Lawrence to hold an election and convene an assembly.

For the German, Swiss and Montbéliardais settlers at Lunenburg, an elected assembly would have been a novel idea. Most came from territories within the Holy Roman Empire (Germany) where there was no tradition of democratic and participatory government as there had been in much of British North America. The Lunenburg settlers came from areas under hereditary or ecclesiastical autocratic rule. At the village level the German- and French-speaking settlers may have had some say in local government, but beyond that, they were disenfranchised.

The governor and council met on 20 May 1758 in response to demands from the Board of Trade and established the parameters for assembly and its election. They determined that the assembly would consist of 22 members. In 1758 Nova Scotia consisted of one county with two townships: Halifax and Lunenburg. Since Lunenburg was a demographically large township, some members of the council feared that the Foreign Protestants might dominate the legislature and out-vote the British-born settlers. Council member Jonathan Belcher suggested that Lunenburg be its own county to limit the number of members that it could elect, a proposal which was not implement at that time. Instead, the proposed 22-member assembly would have four members from Halifax, two from Lunenburg and the remaining 16 at-large for the province-wide county. It might still have been possible for Lunenburgers to wield significant influence in the new legislature, but in 1758 few of the settlers were eligible to vote. Lastly, the council

determined that the election should be held in July 1758 with the assembly convening on 2 October 1758.ⁱ

One problem remained for Lunenburg; the only eligible voters as of May 1758 were the dozen or more natural-born subjects of the Crown. Few if any of the Foreign Protestants had been naturalized as of May 1758. At the time of the election in late July 1758, only those Foreign Protestants who came out from London with Gov. Edward Cornwallis in 1749 and who arrived from Rotterdam on the *Ann*, *Nancy* and *Alderney* in 1750 and the *Speedwell* in 1751 were eligible for naturalization and consequently participation to vote for members of the first assembly. The other Foreign Protestant arrivals of 1751 and 1752 had not yet met the seven-year residency requirement for naturalization. The majority of foreigners eligible for naturalization were Swiss. A handful of Germans were also eligible while no Montbéliardais were.

Before the election could be held at Lunenburg, the Crown needed to perform naturalisations. On 5 July 1758, Rev. Jean-Baptiste Moreau and Sebastian Zouerbühler managed the naturalisation process. First Rev. Moreau administered the sacrament to those settlers who had met the seven-years' residency requirement and desired naturalisation, while Zouerbühler held a special court and attended to the civil administration of the oath of naturalisation.ⁱⁱ Despite difficulties among the settlers of different Protestants sects, Rev. Moreau reported that he "administered the Holy Sacrament to sixty Men, besides Women in the German Language"ⁱⁱⁱ.

Following the naturalisation of 60 German men, Lunenburg had an electorate of approximately 70-80 eligible voters including English settlers and officials. Although 60 German-speaking Foreign Protestants had been naturalised, the voting records indicate that only 44 people of foreign origins voted. Of the 44 foreign-born voters, Moreau and Zouerbühler had been previously naturalised. The first election at Lunenburg on 31 July 1758 saw a high voter turn-out with 58 people out of at least 70 possible voters casting votes.

The most interesting and unusual thing about this election is the detail known about the balloting. It is not known by what method the residents of Lunenburg cast their votes. What is known about this election are the names of the voters and more significantly for whom they voted. Apparently the local magistrates and voters at Lunenburg did not know the concept of a secret ballot. The recently naturalised settlers may not have given any thought to the very public manner in which they cast their votes, but for most if not all of them, it was likely the first time any of them had ever voted.

There were seven candidates standing for election: Philip Knaut, Alexander Kedy, Sebastian Zouerbühler, John Creighton, Joshua Mauger, Paul Anschutz and Leonard Christopher Rudolf. The candidates were a mix of Englishmen and English-speaking Germans. The 'establishment' or 'Halifax' candidates were likely Creighton, Zouerbühler, Rudolf and Mauger. The first three candidates held official positions in Lunenburg. By 1758 Zouerbühler and Creighton were Justices of the Peace.^{iv} All three were officers in the Lunenburg militia. Joshua Mauger did not settle at Lunenburg; he was a Halifax-based London merchant who owned mill land at Mushamush (Mahone Bay),^v much of which he later sold to Alexander Kedy. Paul Anschutz was a cook of unknown German origins, an arrival on the *Speedwell* in 1751, and an officer in the Lunenburg militia. Philip Knaut was a furrier and trader from Saxony who came to Halifax with the Cornwallis fleet in 1749. Alexander Kedy was a carpenter and saw miller of Scottish descent from London. He too came to Halifax in 1749. Both Knaut and Kedy probably came to Lunenburg to seek business opportunities: Knaut as a trader and Kedy to

operate a sawmill in community that needed it. Both were likely viewed as regular settlers with few ties to the Halifax establishment.

None of the establishment candidates won. The majority of English-speaking settlers and officials along with Rev. Moreau voted for Zouberbühler and Kedy. A roughly two-thirds majority of the Germans and Swiss cast their votes for Kedy and Knaut. Kedy received a total of 44 votes from the combined Swiss and German majority and near total English vote. In contrast, Knaut received all 38 of his votes from the German and Swiss settlers. Zouberbühler showed a respectable third place with 26 votes nearly evenly split between English and Germanic voters. The remaining candidates barely received any votes, gathering only ten between the four of them.

The first assembly was in session for only one year when the governor called for new elections. In 1759 the provincial government authorized the establishment of new townships for the New England settlers who were soon to arrive. The creation of new townships changed the demographic and electoral landscape of the province and necessitated a new assembly to include representation for the New England settlers. Alexander Kedy either did not win re-election or did not stand for re-election. Philip Knaut and Sebastian Zouberbühler were elected to the Second Assembly. There is no known record of the people who stood for election.

Following is a transcription of the original record of the 1758 election:

[Election for the First Legislative Assembly, 1758: Members for Lunenburg Township^{vi}]

The Name of the Candidate to gather with the Name of the Voters for said Can^d this 31 day of July 1758

	Philip Knaut	}	Candidates
	Alex ^d Kedy		
Gotlieb Seidler			Jacob Sporry
Frid ^{ch} Arenberg			Adam Pieler [Biehler]
John Lonis [Lohnes]			Jacob Tanner
Hen ^r Claessen			Peter Wambold
John Simon			Martin Kolbach
God ^f Terple			John Rehfus
Jacob Moser	25		Paul Anshutz
Jacob Smith			Jacob Phaffhauser
Frid ^{ch} Weile			Caspar Lary [Lehrich]
Conr ^d Ramichen	28		Cond Hatt
Anton Treber			
Martin Üiler			
Casp ^r Schauffelberger			
John Young			
Ludwig Spindler			
Pierre Launer			
Andreas Young			
18 Asmus Thiel			

[-----]

Seb. Zouberbuhler & } Can^d
P. Knaut

Louis Beloud
Guilliaum Rosty
Chr^s Rosty
Mich^{ll} Lay
Joseph Lay
Ben. West
Jean Mange
8 Ad. Wiederhold

S. Zouberbuhler & } Can^d
J. Creighton

1 Bruin Romkies

[-----]

Seb. Zouberbuhler & } Can^d
Josh. Mauger

J^o Donig
Edwarth Smith
Thomas Little John
4 D.C. Jessen

[-----]

P. Knaut & } Cand.
P. Anshutz

Gelle Getzen
2 Anton Coch

[-----]

Sebas^t Zouberbuhler
&
Alex^d Kedy Can^d

Joseph Howe
J^o Creighton
J^o Turner
J^o Crook
Ref Nesham [Ralph Nesham]
Wil^m White
John Gammon
Will^m Grant
John Padnell
J.B. Morreau
John Cunningham
12 J^o Phillips

J^{os} Mauger &
Alex. Kedy Can

1 Seb. Zouberbuhler

[-----]

S. Zouberbuhler &
Leon. Rudolf Can^d

1 Alex. Kedy

[-----]

Jo^s Mauger &
Alex. Kedy

Geo. Fancy

Lunenburg 31th July 1758

An Account of Candidates which have put up [for] to Represent the Town of Lunenburg

N^o of Votes

Sebastian Zouberbuhler	} Esqr ^s	26
John Creighton		1
Maj ^r Leo ^d Chris ^t Rudolff		1
M ^r Philip Knaut		38
M ^r Alexander Kedy		42
M ^r Joshua Mauger		6
M ^r Paul Anshutz		<u>2</u>
		116

Kenneth Paulsen, Ph.D. received his doctoral degree in 1996 from University of Maine. He is a Fulbright Scholar and a former NEHGS staff member. His doctoral research examines the first fifty years of Lunenburg, Nova Scotia's history. Dr. Paulsen is a descendant of Alexander Kedy through both his children William and Alexander. Additionally, he is descended from Guillaum Rosty who is more correctly identified as Kilian Rösti, originally of Adelboden, Switzerland.

ⁱ Winthrop P. Bell, *The Foreign Protestants and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), 536-37.

ⁱⁱ *Ibid.*, 538.

ⁱⁱⁱ Society for the Propagation of the Gospel, *Report*, National Archives of Canada, MG 17, B1/1, vol. 1 [SPGFP B25, reel 73]).

^{iv} Commissions Book, Nova Scotia Archives and Records Management (NSARM), RG 1, vol. 164/2, p. 27.

^v Donald Chard, "Joshua Mauger," *Dictionary of Canadian Biography*, vol. 4 (Toronto: University of Toronto Press, 1979).

^{vi} '[Poll Book Town of Lunenburg, First Election]: The Name of the Candidate to gather with the Name of the Voters for said Can^d this 31day of July 1758', NSARM, RG 1, vol. 382, no. 34.