

GOVERNMENT PRINTING IN NOVA SCOTIA PRIOR TO 1800

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Representative government was established in Nova Scotia in 1758, a year before the battle on the Plains of Abraham, twenty-five years before the American Declaration of Independence and thirty-three years before the Constitutional Act granted representative government to Upper and Lower Canada. Because of the province's early experience with representative institutions, a history of government documents is of bibliographical interest to scholars. As shown in this article the documents can also provide interesting insights into the province's political and social history.

In a speech to his countrymen, Joseph Howe, whose passionate love of Nova Scotia is legendary, addressed his audience thus: "Boys, brag about your country. When I am abroad, I brag of everything that Nova Scotia is, has, or can produce, and when they beat me at everything else, I turn around on them and say, "How high does *your* tide rise?" Were he living today, Joseph Howe would have every justification in offering a further challenge to the rest of Canada: — How old is *your* printing; when did *you* first produce a government document?

The first elected assembly was convened for the first time in a wooden building housing the Courts on the north-east corner of Argyle and Buckingham Streets, on October 2, 1758. Printing in the colony had become an established fact at least six and one half years earlier, when John Bushell produced the first issue of the *Halifax Gazette* on March 23, 1752. Before the year was out the first government printing in what is now Canada became a reality.

At the outset government printing took the form of proclamations by Governor Hopson, which were printed as broadsides for posting in various locations frequented by the public. Indeed, as early as November, 1752, what must be the first bilingual publication in Canada was printed by Bushell — *A Cartel for the exchange of deserters*. It consisted of two unsigned, unpagged leaves in folio, the text in two columns, English and French. The Cartel called for the reciprocal exchange of deserters between the British and French forces in America. The Legislative Library possesses one of the three known copies. Albeit rather battered, it is completely legible. The other two copies are at the Public Record Office in London.

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For the six years between 1752 and the meeting of the first Assembly, with the exclusion of the *Halifax Gazette*, barely a dozen examples of printing exist today and these, for the most part, take the form of broadsides of official proclamations and single laws — such as *An Act for the Relief of Debtors*. It is apparent, however, that the infant Assembly regarded printing as vital to its interests. In the first session which concluded December 21, 1758, the members appear to have anticipated the need for "freedom of information", the legislature having passed the following Act:

C.A.P. XXII.

An A C T declaring what shall be deemed a *Publication* of the *Province Laws*.

BE it Enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby Enacted, That the public Reading of any Law of this Province, by the Provost Marshal or his Deputy, on the Parade of Halifax, after Notice by beat of Drum, shall be deemed a sufficient Publication thereof.

And all Laws already published in that Manner are hereby declared to have been in Force accordingly, from the Time of such Publication.

This, however, was by no means a satisfactory solution, for the *Journal* of March 5, 1759 records that the constituents were "murmuring for want of a Publication of Laws, particularly the *Bounty Act*, urging the Printer to get on with it, "so that there be no further reason for clamour and uneasiness among the inhabitants."

The *Laws* of the 1st Session of the 1st Assembly, 1758, when they finally appeared in print in 1759, consisted of one hundred and fifteen folio pages, issued in parts. The *Laws* bear no printer's name — it must certainly have been John Bushell, although it is known he was ill at this particular time and the work may very well have been done by his assistant, Anthony Henry, with perhaps the help of Bushell's son and daughter. The only copy known of the sessional laws for 1758 to 1766, originally the property of Chief Justice Belcher, is held at the Acadia University Library.

Today the *Journal* of the first session, indeed for the first two sessions, exist in manuscript only. There is no clear evidence it was ever printed, although a reference in the manuscript suggests it was in the hands of the printer in March, 1759. The original manuscript, the one tangible link with that first assembly, is held by the Legislative Library at Province House. It is in surprisingly good condition.

Anthony Henry succeeded Bushell after the latter's death in February, 1761. As the only printer in the colony he was unofficially the government, or King's Printer, responsible for the printing of official publications. The *Gazette*, the *Laws*, the *Journals*, as well as proclamations and orders-in-council, were his principal mainstay. It was not until 1788, after he had undergone certain vicissitudes of fortune, that he was formally recognized as King's Printer. His employment of Isaiah Thomas, later the American patriot printer, during the enforcement of the *Stamp Act* in 1765, gave rise to some rather questionable practices, which so irritated the officials, that they saw fit to import from England a rival printer, Robert Fletcher, to take Henry's place.

Fletcher arrived in Halifax in the summer of 1766 and immediately set up his own press, which he had brought with him. On August 14 he published the first issue of the *Nova Scotia Gazette*, a semi-official weekly, which was continued into the summer of 1770. The best example of Fletcher's printing is found in a consolidation of the *Perpetual Acts*, which appeared in 1767, the first revised edition of Nova Scotia laws, indeed the first in Canada. For this revision Fletcher was paid 180 pounds for two hundred copies, of which at least twenty exist today.

There is no doubt Robert Fletcher was a highly competent printer, though apparently a poor business man, which may have prompted him to give up printing in September, 1770 and set himself up as a merchant in the town. With competition out of the way Anthony Henry resumed his former relationship with the government and his *Nova Scotia Gazette and Weekly*

Chronicle became the colony's official publication. For the next thirty years, until his death in December, 1800, Henry published annually the *Laws* and *Journals* of the Assembly, with the exception of 1788, when there was no session. A second revision of the *Perpetual Acts* appeared in 1784, for which Henry was paid 125 pounds for one hundred copies — at least fifteen survive today. In addition he printed numerous proclamations and in 1797 the first of a legion of provincial royal commissions, the report of the Commission on the Shubenacadie Canal.

For some time now the Nova Scotia Legislative Library has had an on-going project of microfilming Nova Scotia government documents, including the *Laws*, *Debates* and *Journals*, and while it had been successful in microfilming all the revised editions of the *Laws*, up to and including the edition of 1923, there was nowhere in existence a complete run of the sessional laws.

After considerable correspondence, visits to Harvard's Widener and Law libraries, the Library of Congress and the Public Record Office in London, and with the cooperation of the Public Archives of Canada, the Public Archives of Nova Scotia and the Acadia University Library, the Legislative Library was finally able to assemble an almost unbroken run — the *Temporary Acts* of 1780 to 1782 remain missing.

Microfilming of these documents was completed earlier this year. A veritable jigsaw of hard copy, xerox and microfilm print-offs, representing nearly 100 years legislation, can now be compressed into three reels of microfilm. It was a special privilege to be able to work in close contact with these rare examples of the printer's craft of two centuries ago, produced as they were on the beautifully textured rag paper so well preserved today, in marked contrast to our modern papers.

One may well ask if legislation of two centuries ago is of any consequence today? Apparently it is, for a few months ago a Justice of the New Brunswick Court of Queen's Bench phoned to request a copy of the earliest gambling law in this Province — it proved to be 1759. There is also a marked increase in interest in early legislation pertaining to shipping and social welfare, to mention only two topics. Ministers of Consumer Affairs may well be intrigued to learn that in 1777 an act was passed *regulating the Price of Certain Provisions in the Town of Halifax* and in 1768 a duty was laid on wheel carriages, ten shillings per pair of wheels, whether drawn by horse or oxen. Chapter I of the First Assembly, First Session, 1758 concerns an act relating to the duties of import on rum and other distilled liquors. Is there anything new under the sun?