

LOGIN (/USER) FRANÇAIS (/FR/CONTENT/HERITAGE-MINUTES/VIOLA-DESMOND)

SIGN-UP TO OUR NEWSLETTER ([HTTP://HISTORICA-DOMINION.US1.LIST-MANAGE1.COM/SUBSCRIBE?](http://historica-dominion.us1.list-manage1.com/subscribe?u=8b239f6d4c109489e40480d52&id=307fa49399)

[U=8B239F6D4C109489E40480D52&ID=307FA49399](mailto:info@historicacanada.ca))

([MAILTO:INFO@HISTORICACANADA.CA](mailto:info@historicacanada.ca)) ([HTTPS://WWW.FACEBOOK.COM/HISTORICA.CANADA/](https://www.facebook.com/historica.canada/))

([HTTPS://TWITTER.COM/HISTORICACANADA/](https://twitter.com/historicacanada))

([HTTPS://WWW.INSTAGRAM.COM/HISTORICACANADA/](https://www.instagram.com/historicacanada/))

([HTTPS://WWW.YOUTUBE.COM/C/HISTORICACANADA](https://www.youtube.com/c/historicacanada))

HERITAGE MINUTES

#PARTOF OUR HERITAGE



Heritage Minutes: Viola Desmond



Viola Desmond

HERITAGE MINUTES
#PARTOFHERITAGE
RELEASED 2016
SHARE

(<http://www.addthis.com/bookmark.php?v=300>)

(<http://www.addthis.com/bookmark.php?v=300>)

(<http://www.addthis.com/bookmark.php?v=300>)

(<http://www.addthis.com/bookmark.php?v=300>)

The story of Viola Desmond, an entrepreneur who challenged segregation in Nova Scotia in the 1940s.

On the evening of 8 November 1946, Halifax businesswoman Viola Irene Desmond (née Davis), made an unplanned stop in the small community of New Glasgow after her car broke down en route to a business meeting in Sydney, Nova Scotia. Told she would have to wait a few hours for the repair, she decided to see the movie *The Dark Mirror*, starring Olivia de Havilland, at the Roseland Theatre. Desmond requested a ticket for a seat on the main floor ("One down, please."). Without informing Desmond, the ticket seller instead handed her a ticket to the balcony, the section generally reserved for non-white customers.

After being challenged by the ticket-taker, who informed her that her ticket was for an upstairs seat, Desmond returned to the cashier and asked to exchange her ticket for a downstairs one. The cashier refused, saying, "I'm sorry, but I'm not permitted to sell downstairs tickets to you people." Realizing that the cashier was referring to the colour of her skin, Desmond decided to take a seat on the main floor anyway.

Henry MacNeil, manager of the Roseland Theatre, confronted Desmond. He argued that the theatre had the right to “refuse admission to any objectionable person.” Desmond pointed out that she had been admitted, and had then attempted to exchange her balcony ticket for a main floor one. She had even offered to pay the difference in cost, but was refused. “When she declined to leave her seat, a police officer was called. He dragged Desmond out of the theatre, injuring her hip and knee in the process, and took her to the town lock-up. Shocked and frightened, she maintained her composure, sitting bolt upright in her cell all night long, awaiting her trial the following morning.”

In court, Magistrate Roderick MacKay, the only legal official present, charged Desmond with attempting to defraud the provincial government based on her alleged refusal to pay a one-cent amusement tax (the difference in tax between upstairs and downstairs ticket prices). Despite her insistence that, at the time, her offer to pay the difference had been refused, he fined her \$26. At no point was Desmond provided with counsel or informed that she was entitled to it. Most notably, the issue of race was never mentioned even though it was clear that Desmond’s real ‘offence’ was to violate the Roseland Theatre’s implicit segregated seating rule.

On the advice of Mrs. Pearleen Oliver, a regular patron of Desmond’s beauty parlour and the wife of the Reverend William Pearly Oliver, Viola sought support from the Nova Scotia Association for the Advancement of Coloured People (NSAACP). Even with the assurance of support from the NSAACP if she appealed the conviction, Desmond’s husband Jack, a prominent businessman in Halifax’s Black community, objected to the appeal. “Take it to the Lord with a prayer,” was his suggestion. Others in the community were more encouraging. Carrie Best, the founder of The Clarion newspaper and an outspoken advocate of racial equality, took a special interest in the case. Her paper closely covered Desmond’s story, often featuring it on the front page, and drawing greater attention to the injustice of her conviction. The Viola Desmond Heritage Minute ends with Best asking Desmond whether she plans to appeal her conviction. With courageous determination, Viola Desmond says that she will.

Subsequently, Desmond’s lawyer made two unsuccessful applications for appeal to the Nova Scotia Supreme Court, after which legal action on the case ceased. At no point in the Supreme Court proceedings was the issue of racial discrimination ever raised by her legal defense. When dismissing the case, Justice William Lorimer Hall said: “One wonders if the manager of the theatre who laid the complaint was so zealous because of a bona fide belief that there had been an attempt to defraud the province of Nova Scotia of the sum of one cent, or was it a surreptitious endeavour to enforce a Jim Crow rule by misuse of a public state.”

On 15 April 2010, Viola Desmond was granted a posthumous pardon by Nova Scotia Lieutenant-Governor Mayann Francis. The pardon, accompanied by a public declaration and apology from the province, recognized that Desmond’s conviction was a miscarriage of justice and that charges should never have been laid.

CAST

Viola Desmond – **Kandyse McClure**

Carrie Best – **Melannee Murray**

Ticket Seller – **Stacie Harrison**

Henry MacNeil, Theatre Manager – **Kevin Rothery**

Reverend Oliver – **Dwight Lane**

Jack Desmond – **Kudjo Fiakpui**

Police Officer – **Jodi Stecyk**

BUY DIGITAL MINUTE

(/products/heritage?

sku=DP20155)

BUY DVD (/products/heritage)

KNOW YOUR MINUTES

Actress Kate Nelligan was 8 months pregnant when she portrayed Emily Murphy! This explains why you never see her full torso in the shot. ➤

WATCH VIDEO (<https://www.historicacanada.ca/content/heritage-minutes/emily-murphy>)

Search Heritage Minutes

BY TYPE: ALL | VIDEO | [AUDIO](#)