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WORKING PAPER SERIES**

**175 YEARS OF VOTING: THE 175<sup>th</sup> ANNIVERSARY OF THE FIRST  
PARLIAMENTARY ELECTION OF 1843**

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## Abstract

The first elections in the colony of New South Wales were held between 15 June and 3 July 1843. These elections (albeit with a very limited franchise) saw the birth of democracy in Australia. This short paper highlights some of the most interesting aspects of that first election.

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In June and July 1843 Australia's first Parliamentary elections were held for the Legislative Council of New South Wales. The momentous occasion certainly did not go off without any drama. Election Day in the Sydney electorate started out with some enthusiastic parading by the candidate's supporters under their respective coloured banners. Blue for Wentworth and Bland, green for Cooper and Captain O'Connell (the dual colours of the NSW Electoral Commission today). However, when early indications pointed towards a Wentworth and Bland victory, a mob loyal to the green banners soon formed and they bludgeoned their way through the streets causing considerable disruption and damage. The mounted police eventually read the Riot Act but by the end of the day a Wentworth/Bland supporter's stall was destroyed, private property damaged, numerous individuals lay injured and one person was to later die from their wounds as a result of the actions of the riotous mob.

The 1843 election would be a landmark event in Australia's history, introducing the popular vote for legislative office to New South Wales. The British Government, through the *Constitution Act of 1842* granted the concession of a partly elected Legislative Council where colonists were to elect two-thirds of a new legislature, the remaining one-third were to be Crown nominees. The enlarged Legislative Council of 1843 would therefore consist of 36 members, 24 of whom were to be elected at the first election.

In addition to limiting the number of representatives that could be elected, the 1842 Act also restricted who could vote in the election. Polls were restricted to men over the age of 21, owning property in one of the electorates valued at £200 or more, or renting/leasing property to the value of £20 a year. Therefore women, itinerant labourers, unskilled workers, virtually all farm employees, squatters and people renting rooms rather than a house were essentially denied the vote. The franchise was further restricted by a complex and onerous voter registration process where potential electors had to prove their claim, with disputes resolved in the courts, thus deterring many with limited or no education. Indigenous people were also denied the vote until the *NSW Constitution Act (1855)* conferred a Constitution on the colony of New South Wales. In the 1858 parliamentary elections, voting rights were granted to all male British subjects over the age of 21. It was acknowledged that Indigenous people were British subjects under the English common law and were entitled to the rights of that status. Accordingly, Indigenous men were not specifically denied the right to vote. Few Aboriginals were aware of their rights and were not encouraged to enrol to vote and very few participated in elections.

Despite these limitations, the election would bring the colony one step closer to the goal of fully representative Assembly and would demonstrate the extent of public involvement and commitment to the election, especially in consideration of the talented and influential candidates who would become significant figures in the history of the colony. It was even more impressive when you consider that the colony was in the grips of depression, yet provincial candidates were willing to leave their farms and businesses and travel great distances (from as far as Melbourne!) to Sydney for the long sessions of the Legislative Council.

Governor Gipps was unwilling to put the electoral process into operation until an official copy of the Act arrived in early 1843. The electorates gazetted on 9 March were based on the 19 administrative counties originally established in 1829. There had been no attempt in the gazetting of boundaries to give an equal weighting to the votes of electors in different electorates, and there were clearly more registered voters in the Sydney electorate than anywhere else, even though it would only elect two members. There was general approval of this approach, as rural property was regarded as more significant than city rental, and there was a perception that there were too many people of “suspect moral values” in the city.

Candidates came forward from December 1842 and newspapers gave extensive coverage to the candidates, their policies and their debates right up until the polls. The polling period was eventually set for 11 separate days between 15 June and 3 July 1843. The Sydney electorate had the honour of holding the first poll on 15 June.

On 13 June nominations for the City of Sydney electorate were declared before the Returning Officer, John Hosking, the Mayor of Sydney, at hustings in Macquarie Place. A large stage was erected where the candidates addressed the 8,000 strong crowd who were gathered to hear the nomination and speeches of the first candidates for a seat in the new Legislative Council. The returning officer then called for a show of hands in favour of each. Those candidates who didn't win the show of hands would challenge the result and a poll would be called. Alderman George Allen of the city council was less than impressed with the crowds behaviour stating that “.it was a sad picture of human life – the noise and confusion – the yelling (the) hurrying was deafening – alas that people will not calmly consider these things and act as reasonable beings.”

Polling booths had been set up in each of the city's six wards. The booths were to be open from 9am until 4pm, acknowledging that it was mid-winter in the colony and the sun would set by 5pm.

The Sydney Morning Herald proclaimed that “This is the Day!” Wentworth was certain to be elected, and the real contest would take place between Captain O'Connell and Dr Bland for the other seat.

Voting began at polling booths at 9am but by 11am a count of votes showing an early lead to Wentworth infuriated the more unruly of those loyal to the green banners. At the Gipps Ward (the Rocks), the campaign tent of Wentworth and Bland was wrecked, and a mob of around five hundred men (reported as an “Irish mob” by the colonial newspapers) armed with sticks, staves and palings torn from fences proceeded to wreak havoc through the streets. Mounted police arrived, the Riot Act was read, and at 1pm, voting in Gipps ward was adjourned until 9am the next day. Supporters of Wentworth and Bland were attacked and some of their homes and business had windows smashed and doors kicked in causing the inhabitants to flee in terror, some too scared to vote.

At Brickfield Hill (in modern day Surry Hills) at the city's limits, one man was severely injured, and shortly after being taken to hospital he died, bringing Sydney's first polling day to an end.

On 19 June the Mayor declared the names of the successful candidates. The result was a triumph for Wentworth with 1275 votes, and Bland with 1261 votes. (O'Connell 733, Cooper 365 and Hustler 338 votes). In the manner required by custom, Wentworth and Bland, seated in a carriage, were drawn in triumph through the city streets by their supporters.

The successful Sydney candidates were not the colony's first elected representatives. Parramatta shared with Sydney 13 June as nomination day. As Parramatta produced only one

candidate, Hannibal Hawkins Macarthur became the first elected representative for the Legislative Council. Parramatta was one of six seats, or one quarter of the number of available seats for elected representatives, that were uncontested, the respective candidates securing a seat in the Council as a matter of course.

The new blended Legislative Council had a new Council Chamber built for it, on the northern end of the old Rum Hospital Building. After various modifications and enlargement in the period up to 1856, it remains in use today, housing the NSW Legislative Assembly. It is the oldest legislative chamber in Australia and probably the second longest in constant use throughout the Commonwealth of Nations.

In June 2018 we celebrate the 175<sup>th</sup> anniversary of the first parliamentary election in Australia. The 1843 election was an important stage in the democratic development of New South Wales and this glimpse into our history provides the necessary perspective to truly appreciate just how far our democracy has come.

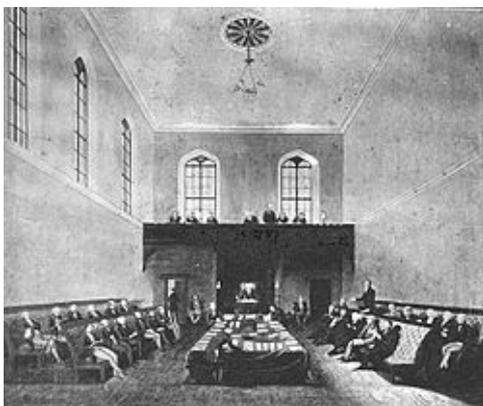
### Successful candidates in the 1843 Legislative Council elections

	Name	Electoral District
1	William Bland	City of Sydney
2	William Bowman	Cumberland Boroughs
3	William Bradley	County of Argyle
4	John Coghill	Counties of St Vincent and Auckland
5	Henry Condell	Town of Melbourne
6	Charles Cowper	County of Cumberland
7	William Dumaresq	Counties of Hunter, Brisbane and Bligh
8	Charles Ebdon	Port Phillip
9	John Foster	Port Phillip
10	John Lang	Port Phillip
11	William Lawson	County of Cumberland
12	Francis Lord	County of Bathurst
13	Hannibal Macarthur	Town of Parramatta
14	Alexander Macleay	Counties of Gloucester, Macquarie, and Stanley
15	Terence Murray	Counties of Murray, King and Georgiana
16	Charles Nicholson	Port Phillip
17	John Panton	Counties of Cook and Westmoreland
18	William Suttor Sr.	Counties of Roxburgh, Phillip and Wellington
19	Roger Therry	County of Camden
20	Alexander Thomson	Port Phillip
21	Thomas Walker	Port Phillip
22	D'Arcy Wentworth	Northumberland Boroughs
23	William Wentworth	City of Sydney
24	Richard Windeyer	County of Durham

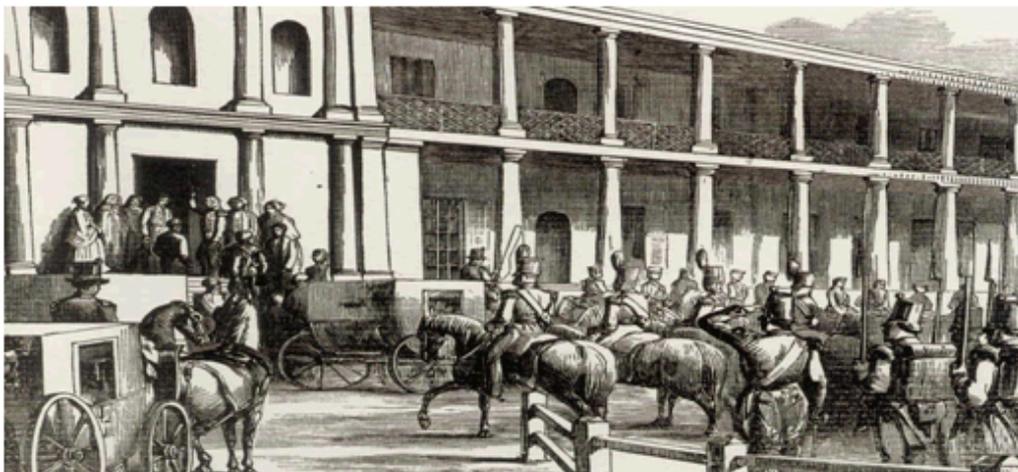
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## Images:



First meeting of the Legislative Council in 1843



The opening of the partially elected Parliament in 1843