

Tasmania and the Secret Ballot

TERRY NEWMAN

School of Government, University of Tasmania

Encyclopaedias and handbooks, etc, all present Tasmania's starting date for implementing the secret ballot as 1858. But this research note argues the correct date was two years earlier in 1856. Moreover, before this, Tasmania's early 1830s participation in the Australia-wide pro-ballot campaign, and its Constitutional inclinations towards the ballot have also been overlooked. To correct this omission relevant background is presented which highlights the riotous behaviour of pre-ballot elections. This is followed by a summary concerning the ballot's starting dates for Victoria and South Australia. Having confirmed these basic facts, further evidence is presented regarding Tasmania's true application of the secret ballot, including citations from a rare copy of the state's 1856 Electoral Act. In short, this "rediscovery" means that Tasmania definitely deserves a new place in the history of Australia's famous democratic innovation.

Citizens in democracies take the secret ballot for granted. But if investigated, the Victorian Parliament in Australia will be found to have been the first to abandon the "show of hands" method of electing MPs in 1856.¹ Although the ballot had been discussed in South Australia since the 1850s it is usually portrayed as next in line to Victoria, with the other states following thereafter. Tasmania's place in the implementation of the secret ballot has to date been misrepresented as 1858 because its 1856 *Electoral Act* which incorporates the secret ballot has been overlooked. Reasons for this mistake include the fact that most researchers focus on other aspects of the political story, such as constitutional features. Another possible explanation for this oversight is that before the 1880s bound volumes of Tasmanian Acts contained only acts still *in force*. Therefore because Tasmania's 1856 *Electoral Act* was substantially revised in 1858 the earlier legislation became redundant and was omitted from annual volumes bound *post hoc*. On this basis the 1858 Act has always been the *first* Tasmanian electoral law most researchers discovered in National or State Archives Offices or in State Libraries and even Parliamentary Libraries in each of the States throughout Australia.

But in addition to this binding requirement for active legislation only there is another even less well-known stipulation. The Tasmanian Supreme Court must retain copies of all Tasmanian statutes in their original form. Because of this provision, I have examined the Supreme Court copy of the original 1856 *Electoral Act*. The secret ballot clearly appears in this earlier statute and so I have undertaken further research based on the older legislation and therefore argue that with an 1856 starting date Tasmania deserves a new place in the history of the secret ballot.

¹ See Ernest Scott, "History of the 'Victorian Ballot'", *Victorian Historical Society Monthly* No. 8 (1) 1920, pp. 1-14; No. 8 (2) 1921, pp. 49-62, and R. S. Neale, "H.S. Chapman and the 'Victorian Ballot'", *Historical Studies* No. 48. April 1967.

Fredman suggests that “it is not possible to trace the precise origins of the idea” of the secret ballot². McDonald, however, says that the ballot was first used in ancient Greece and in Rome in 300BC.³ Following open discussion of the ballot in England from 1780, and a series of Ballot pamphlets from 1831, English Chartists included the secret ballot in their 1839 reform petition to the British Parliament.⁴ Nevertheless, despite repeated attempts to introduce it by George Grote, England did not adopt the ballot until July 1872. New Zealand, which led the world with female suffrage in 1893, only adopted the secret ballot in 1870 and Canada followed suit in 1874. In short, the worldwide history of the secret ballot confirms Victoria’s 1856 groundbreaking implementation of it. Consequently, after Louisville, Kentucky and Massachusetts in the USA both adopted the innovation in 1888, it became known in America, at least, as the “Australian Ballot”.

This was because, despite South Australia’s earlier lobbying, Victoria established its well-deserved worldwide reputation for *implementing* the secret ballot first on Wednesday 27 August 1856. The next to adopt it, according to conventional wisdom, was reputedly South Australia who followed suit in April 1857. In fairly quick time the other Australian States soon added this democratic innovation: New South Wales [1858], Queensland [1859] and West Australia [1877]. However, a fundamental mistake has crept into the standard recitation of starting dates; Tasmania’s first usage is erroneously placed as 1858 with NSW. Moreover this seemingly small but historically significant misrepresentation appears everywhere: in directories, encyclopaedias, handbooks, and on the Internet. It also appears in numerous reference books and in core Tasmanian political science texts by eminent authorities such as W. A. Townsley.⁵

As background, colonial Australia, mainly through British newspapers such as the *Times* and English immigrants, was inevitably exposed to Chartist principles; indeed seventy-nine Chartists were transported to Australia in 1842 alone.⁶ Other international immigrants, or gold rushers, from Germany, France and Italy also carried with them the essence of European discussion on the ballot. Indeed many of the miners at the Eureka Stockade, including Peter Lalor were imbued with such democratic principles.⁷ Tasmania was not excluded from this type of exposure, yet its participation is not mentioned in general Australian electoral histories that discuss the evolution of the ballot. Contrary to this “neglect” the island witnessed newspaper advocacy of the ballot as early as 1834. And in November 1838 during the struggle for a local Parliament this statement appeared: “If we cannot have the Ballot, with a Representative Legislature; let us not have the latter without some protection [...] from which undue influence over the choice of an elector is to be apprehended”.⁸

² See L. E. Fredman, *Australian Ballot : the story of an American reform* (East Lansing, Michigan, 1968), p. 4, and Chapter One, *passim*.

³ W.G.M. Partridge, *Australian electoral methods; an historical and critical survey* (MA Thesis, University of Adelaide, 1947), p.11.

⁴ *Ibid.*, p. 12

⁵ See W.A. Townsley, “Electoral System and Constituencies”, in *Century of Responsible Government*, ed. F. C. Green (Hobart, 1956), p.60, and *Tasmania; from colony to statehood 1803-1945* (Hobart, 1991), p. 112.

⁶ Partridge, *Australian electoral methods*, p. 15.

⁷ *Ibid.*, pp. 21-24.

⁸ *Tasmanian and Austral-Asiatic Review* 2 November 1838, and earlier implicit advocacy of the ballot appeared within an editorial by Robert L. Murray, editor of *Hobart Town Magazine*, entitled “Free Representation of a Legislative Assembly”, Vol. III, August 1834, No. 18 p. 286.

No matter how early such newspaper lobbying occurred in Tasmania it was ignored. When Tasmania's inaugural parliamentary elections were held in October 1851 for a new Blended Legislative Council, which was composed of eight nominee members and sixteen elective members, the polls did *not* utilise the secret ballot.⁹ However, they did use the ballot paper device, except that at this election voters had to cast their vote, by hand in public. As a result, not least because of low levels of literacy, and a restrictive franchise, this caused very low turnouts at the polls. Moreover, five of the sixteen seats up for election were uncontested. Compounding this sad state of affairs James Cox "wasted" £300 on his election campaign when he gained a remarkable 100 per cent of the 137 votes cast because his opponent, whose name was already on the ballot paper, withdrew before the contest!

Indicating something of the character of these public elections, a contemporary witness tells of a voter "[...] mounting the dais and, replying audibly for whom he intended to vote, [and in response] got hoots from one section of the crowd whatever his answer was and oftimes a punch on the jaw. All this inflamed the populace — drink did the rest". Also this witness went on to say that even after the poll was declared supporters of the winning candidate were forced to resort to tearing the pickets from a nearby fence in order to defend themselves from the attacks of followers of the losing candidate.¹⁰ Notwithstanding this riotous behaviour Tasmania's early participation in the ballot campaign, as cited above, has remained "perfectly secret", because histories of Australia's adoption of the democratic innovation begin with South Australia. Admittedly this is quite accurate because in that colony the idea was "warmly agitated by the people",¹¹ who not least formed a Ballot Association and a related Electoral Franchise Association in 1850 to specifically lobby for electoral advances. Yet despite much lobbying, insertion of the secret ballot into South Australia's 1851 Constitution by local MPs was unsuccessful. Even a favourable recommendation by a local parliamentary committee in 1852 was also ignored.¹²

Meanwhile, elsewhere in the Australian colonies, in March 1851, whilst Victoria was seeking constitutional separation from NSW, William Nicholson, Mayor of Melbourne, chaired a public meeting that expressed its "decided conviction" in favour of the benefits of the secret ballot.¹³ On the other hand, Edward Deas Thompson, Colonial Secretary [of New South Wales], derided it as "not only un-constitutional, but un-English".¹⁴ More on this anti-democratic attitude appears below.

Townsley's view mentioned above has gained great currency. This is because, for example, he comments that Tasmania's 1858 *Electoral Act* legislation was the "first comprehensive statute of its kind".¹⁵ Admittedly, the secret ballot is very clearly identified in the 1858 statute, but it was only a *revision* of the island's existing electoral legislation. What has further confused previous researchers, including Partridge,¹⁶ was

⁹ The term "Blended" Council is widely used for this form of legislature. A Tasmanian example is contained in W. A. Townsley, *Struggle for Self-Government in Tasmania 1842-1856* (Hobart, 1951), Chapter V. A recent Victorian example is Ray Wright, *Blended House: the Legislative Council of Victoria 1851-1856* (Melbourne, 2001).

¹⁰ Anonymously quoted by Leslie Norman, *Pioneer Shipping* (Hobart, 1989), pp. 90-91.

¹¹ Gordon D. Coombe, *Responsible Government in South Australia* (Adelaide, 1957), p. 20.

¹² See J.F.H. Wright, *Mirror of the People's Mind* (Sydney, 1980), p. 24, and *ibid.*, pp. 28-29.

¹³ Coombe, *Responsible Government in South Australia*, p.24.

¹⁴ *Ibid.*, p. 27.

¹⁵ Townsley, "Electoral System and Constituencies", p. 59.

¹⁶ No mention of the 1856 Act appears in Partridge, *Australian electoral methods*, p. 21 and p.26.

the fact that this amendment act did not identify itself as such. The new act was a fairly major modification of the statute and inserted clauses that included the abandonment of the rowdy public nomination of candidates in favour of written applications. However by 1858, the supposed date for Tasmania's first implementation of the secret ballot, the local Parliament had used the secret ballot on twenty separate polling days (single day general elections were not legislated in Tasmania until 1884).¹⁷ For example, at the first election for a new bicameral Parliament held in 1856, five of the fifteen Council seats were contested utilizing the ballot, and eight of the thirty House of Assembly seats were contested using it. Also, two additional by-elections were held using the secret ballot by the end of 1856. Moreover during 1857 two more Council polls using the new electoral device occurred, and six more ballot elections were held for the House of Assembly.

Before firmly establishing Tasmania's new placement in the history of the secret ballot, interstate implementation dates for the ballot are confirmed via brief summaries of the events in each colony. South Australia introduced its *Electoral Bill* on 2 November 1855 except that whilst it contained the abolition of public nomination of candidates before Tasmania did the same, it did *not* include the secret ballot.¹⁸ Therefore, local MP, Richard Hanson, added this innovation (by a margin of 10:4 votes) and so the new provisions were passed on 12 February 1856. The South Australian State Governor accordingly signed the legislation on 2 April, after which because of the colonial era Constitutional requirement that significant acts must be "reserved" for the Monarch's Royal Assent, it was sent to London. To achieve this necessary step British colonial officials and Cabinet members recommended that the Queen sign the legislation into law. In due course, this action was referred to by British advocates of the ballot as justification for its implementation there. The Act was passed by the UK Parliament on 24 June, and returned to South Australia on 24 October. However such delays, although constitutionally necessary, meant that the first South Australian electoral rolls were not ready until February 1857. So the first "secret" elections were not held there until on Monday 9 March 1857.

Despite South Australia's earlier parliamentary starting date, pride of place for the implementation of the "secret ballot" still goes to Victoria. There, the Haines Government introduced its *Victoria Electoral Bill* on 6 February 1856, but it too did *not* include the secret ballot. Moreover, this Bill ignored an earlier parliamentary attempt in December 1855 by William Nicholson, who was also an MLA, to "[...] provide for electors recording their vote by secret ballot". Nicholson's motion had in fact passed 33:25, which toppled the Haines Government, except that Nicholson, after a week of frantic trying, was unable to form his own alternative ministry.¹⁹ Consequently, Haines reassumed the Premiership when Parliament met on 9 January 1856, but would proceed, he said, as if "[...] that resolution had never been passed".²⁰

In the face of such intransigence, Nicholson organised a public protest meeting but because he was "devoid of any idea of making the ballot work", at the meeting Henry

¹⁷ For full details of these elections see Scott and Barbara Bennett, *Tasmanian Electoral Handbook 1851-1982* (Sydney, 1980), passim.

¹⁸ Coombe, *Responsible Government in South Australia*, pp. 58-60.

¹⁹ Ray Wright, *Blended House*, p. 121.

²⁰ Jack Wright, *Mirror of the People's Mind*, p. 28.

Samuel Chapman, MLA agreed to draft workable provisions.²¹ Using his legal background, which included representation of some of the Eureka stockade miners,²² Chapman's legislative provisions were designed to avoid the hazards of open voting. These pitfalls had been described by the Melbourne *Argus* as having previously caused "[...] confusion, unhealthy excitement; with frequent drunkenness, quarrelling, and occasional outrage",²³ which remarks echo the 1851 Tasmanian events mentioned above. And in South Australia ballot advocates suggested that the open voting method had little effect other than of "putting money into the pockets of publicans".²⁴

Before becoming an elected Victorian MP, in February 1855, Chapman had a Tasmanian connection; he was for a short time its Solicitor-General. However, his tenure was cut short because Governor Sir William Denison sacked him in 1852 for supporting a parliamentary motion against convict transportation. Once free of official restrictions Chapman went on to write and publish in Tasmania a widely circulated pamphlet on the requirements of "*Responsible Ministries for the Australian Colonies*". In this slim publication he, not least, questioned the level of debating skills and the general competency of existing appointed legislators. They had largely operated as a "silent ministry" subservient to the Colonial Governors who appointed them as parliamentarians. Moreover, Chapman thought many of these MLCs were too "surprised" by their new colonial Constitutions to "fall readily into new legislative duties".²⁵ In short, Chapman was not impressed by the type of MP arising from the nominee system and so advocated free or elective institutions with MPs and especially future governments "responsible" to the people.

Without doubt Henry Chapman deserves credit for drafting the "secret ballot" part of the Victorian legislation. For this work he has been described as "midwife" of the secret ballot.²⁶ In addition, through his continued association with Tasmanian MLCs Chapman-like clauses appeared in Tasmania's *Electoral Bill*, although none of the interstate bills were completely similar, indicating that they were prepared independently of each other. Moreover, Victoria's legislation proposals were not as secret as South Australia's or even Tasmania's, because only the latter two states did *not* require the voter's electoral roll number to be noted on the back of the ballot paper.²⁷

Nevertheless, on 23 February 1856 Nicholson successfully introduced Chapman's secret ballot clauses, which passed the Victorian Parliament on 13 March and gained Royal Assent on 19 March 1856. Despite having "argued that voting in secret appeared furtive, even anti-British",²⁸ rather than resign again Haines accepted this "defeat" and the law was proclaimed on the 29th. Therefore, the first Victorian elections using the

²¹ Statement on Nicholson by Ernest Scott, quoted by Peter Cook, *Australian Dictionary of Biography*, Vol. 5 p. 338 and Jack Wright, *Mirror of the People's Mind*, p. 28. See also Chapman's biographical entry by R. S. Neale *Australian Dictionary of Biography*, Vol. 3. p. 380-382.

²² Partridge, *Australian electoral methods*, p.36.

²³ Cited in Jack Wright, *Mirror of the People's Mind*, p. 29.

²⁴ Coombe, *Responsible Government in South Australia*, p. 67.

²⁵ H. S. Chapman, *Parliamentary Government or Responsible Ministries for the Australian Colonies* (Hobart, 1854), pp. 22-23.

²⁶ See entry for William Nicholson, *Australian Dictionary of Biography*, Vol. 5 p. 338. Chapman became Victorian Premier in 1859.

²⁷ Independent drafting and electoral roll numbers are discussed by Partridge, *Australian electoral methods*, p. 26.

²⁸ Ray Wright, *Blended House*, p. 120.

secret ballot occurred on Wednesday 27 August 1856 [Legislative Council] and Tuesday 23 September [Legislative Assembly].

Having confirmed the starting dates for the secret ballot in both Victoria and South Australia, this paper identifies that Tasmania's true place in the secret ballot history lies *in-between*, not after them. As mentioned, open debate on the innovation began in Tasmania from 1834 at least, and definitely after the island's Constitution passed on 31 October 1854. Indeed whether or not Tasmanian MLCs were "surprised" to use Chapman's phrase, Tasmania's Colonial Constitution stipulated fresh legislation was to be enacted to provide for "orderly, impartial and effective conduct of elections". Following the disorderly and violent parliamentary elections held in October 1851 this provision effectively required the secret ballot system!

This implicit constitutional inclination towards the ballot is relevant to the island's place in the history of the secret ballot. This is because Tasmania's Constitution, which fully satisfied the British Government, was Australia's *first* self-governing Constitution to receive Royal Assent on 1 May 1856. In sequence, South Australia was next on 24 June, with New South Wales and Victoria on 16 July. However, because of a certain tardiness, as Table One indicates, Tasmania only held its first session of a fully elective Parliament on 2 December. Therefore, New South Wales has the distinction of holding Australia's first self-governing, fully elected Parliament, albeit *without* the secret ballot innovation, on 22 May 1856.

Table One: Constitutional and Parliamentary Dates

State	Royal Assent	First Sitting
Tasmania [18 Vic No.17]	Reserved 31 Oct. 1854 Granted 1 May 1855	2 Dec. 1856
New South Wales [17 Vic No 41]	Granted 16 July 1855	22 May 1856
Victoria [18&19 Vic 1854]	Reserved 25 March 1854 Granted 16 July-23 Nov. 1855	21 Nov. 1856
South Australia [No2 1855-1856]	Reserved 4 Jan.1856 Granted 24 June 1856	22 Apr. 1857

Returning to the history of the secret ballot, before achieving this often overlooked constitutional first, Tasmania in 1855 gained a new Governor, Sir Henry Fox Young. He had recently transferred from South Australia and had obviously been exposed there to the ballot campaign there. Consequently, in a speech to the island's Parliament, on 28 November 1855, Young said:

As the privilege of the Elective Franchise is greatly enhanced by the certainty and the facility of its free and unfettered exercise, I propose for your consideration the adoption of the mode of voting by the Ballot as the surest means of effectually protecting all classes of Electors in the exercise of the right of an unbiased judgement in the selection of their Representatives in Parliament. The clauses of the Bill which regulate the mode of Election have, therefore, been framed on that principle.²⁹

²⁹ Votes and Proceedings of Tasmanian Legislative Council 28 November 1855, p.3.

As earlier suggested, Tasmania's constitutional inclination towards the ballot as a form of "regulating the mode of election" was, Young went on to say, an "indispensable preliminary" for the new constitutional arrangements necessary under responsible self-government. Thus on 1 December the necessary bill was introduced as the *Parliament Bill* and its second reading debate commenced on 12 December. Although after the new Constitution passed [see above] it was renamed the *Electoral Act, 1856*. This *Electoral Act* passed on 4 February, and was signed by Young on 7 February. Thereafter, following the same established constitutional practice that applied in all Australian colonies, it went to England and returned to Tasmania with the Queen's "reserved" Royal Assent on 24 September. It was gazetted locally shortly afterwards on 30 September.

As previously explained, this landmark legislation was subsequently amended and so it was omitted from the bound volumes of 1856 Tasmanian statutes. However, despite languishing in the Tasmanian Supreme Court, once exposed the key section of Tasmania's long lost 1856 *Electoral Act* reads:

At any Election the returning Officer shall cause booths to be erected, or rooms to be hired [...] so that at each polling-place [...] the person voting shall be enabled to fill up his ballot paper [...] in perfect secrecy and with perfect security from interruption [...] [and] each such polling-place shall provide a ballot-box with a secure lock, and with an aperture through which the ballot-papers are to be thrown into such ballot-box [s52].

Although quaintly phrased "in perfect secrecy and with perfect security" is clearly a secret ballot clause designed to overcome the "show of hands" and unruly behaviour when casting one's vote as occurred in 1851. Modern readers must, however, put aside concerns about the lack of female suffrage, and voluntary voting issues: these were not changed in Tasmania until 1903 and 1928 respectively. Other important provisions of the original legislation stated "[...] each Elector shall be entitled to enter unattended into the room appointed for the ballot at such Election, and in which the ballot-box shall be kept [...] [s52]". Only illiterate electors could "[...] have a companion if, he desires, but not otherwise".³⁰ The adult male elector was to:

[...] immediately take such Ballot-paper into the inner room or compartment provided [...] and shall there without delay strike through in ink the name or names of such candidates or candidate for whom he does not intend to vote, but so that [...] he only leaves one name not struck out [...] otherwise the Ballot paper shall be invalid [...] [s63].

Today we have substituted the more reliable pencil for quills and ink (or even fountain pens or biros).³¹ Nonetheless striking "through in ink", with a quill continued to be used until the 1880s because early "square" graphite pencils were "greasy" and in colonial times relatively expensive. Lead or more accurately graphite pencils only became reasonably sophisticated, cheaper and widely available after the 1860s. Nevertheless in 1856 Tasmania's printed ballot-papers, on which candidates' names were printed in alphabetical order, were required to instruct voters they were: "[...] entitled to strike through the Candidates names in secrecy; and neither the Returning Officer nor other person is entitled to approach him whilst he is so striking through the Candidates names [s64]".

Provisions were made for elections in multi-member seats, where electors had to leave *exactly* the same number of names "un-inked" or their vote would be declared

³⁰ H. J. D'Emden, *Parliamentary Guide* (Hobart, 1856), p. 17.

³¹ For general histories of the pencil visit <www.inventors.about.com> or www.berol.co.uk/pencil.

invalid. As an aside this amount of ballot-booth work was reduced when small squares were adopted alongside names on ballot papers. This was a South Australian innovation added by the appropriately named electoral reform advocate William Boothby,³² in time for the first secret ballot elections held there in March 1857.

Before Queen Victoria's "reserved" Royal Assent on the *Electoral Act* returned to Tasmania in September 1856 the first, albeit still public, nominations of candidates to face a secret poll were declared as early as July. These were subsequently formally lodged four days after the individual writs were issued for each seat. With new electoral rolls for Tasmania published 5 December 1855, the first writs for fresh elections were signed on 24 September 1856 and formally issued on 25 September.

Also at this time the Tasmanian *Colonial Times* published an electoral pamphlet written by Henri D'Emden in August 1856. In it he pointed out for the benefit of Tasmanian voters, candidates and their associates, that to maintain the intended level of secrecy, scrutineers must not "[...] interfere with any elector when filling in his ballot paper". Of interest D'Emden, also said candidates could not spend money on "flags, banners, cockades or ribbands" because they might "excite violence".³³

Regardless of widespread support for the implementation of the ballot as an electoral innovation, in common with many interstate colleagues, a few of the Tasmanian politicians at the 1856 poll had "contempt for the secret ballot". They feared the "rampaging democracy" of low-bred mechanics i.e. working-class tradesmen.³⁴ Not only this, they feared it would encourage voters to say one thing and do other, which was relevant because voters such as employees could still be "entreated" to vote for their master. Moreover, despite its best intentions an error was made in Tasmania's original *Electoral Act* because the ban described by D'Emden against "treating" - plying potential voters with gifts of food and drink, etc - and other corrupt activities generally, only applied to *candidates*, who had to submit their campaign accounts to an Election Auditor. But the clause did not cover their political agents, who could for example, distribute rosettes and buy barrels of beer on Election Day. Even so, Tasmanian historian James Fenton suggests the use of the secret ballot was a complete "success" because the various separate elections of the 1856 poll went off "without major disturbances".³⁵ Since then in modern times Tasmania's 1992 general election was the only one that faced comparable restrictions to those described by D'Emden, when TV and radio advertising campaigns were temporarily banned.³⁶

Gathering the disparate information presented here together, Table Two indicates Victoria correctly holds first place for *implementing* the secret ballot on 27 August 1856. But regarding parliamentary action, Tasmania passed its *Electoral Act* shortly after Chapman's ballot clauses were introduced into the Victorian Parliament. Rather than matching NSW's implementation of the secret ballot, this was even six weeks *before* the Victorian legislation gained Royal Assent. However, once again matching

³²For more of Boothby's reforms see biographical entry by G D Hawker, *Australian Dictionary of Biography*, Vol 3.

³³D'Emden, *Parliamentary Guide*, p. 19.

³⁴L.L. Robson, *Press and Politics: a study of elections and political issues in Tasmania from 1856 when self-government came into effect, to 1871* (University of Tasmania. MA Thesis, 1955), pp. 17 and 76.

³⁵James Fenton, *History of Tasmania from its discovery in 1642 to the present time* [facsimile] (Hobart, 1978), p.286.

³⁶Terry Newman, "Tasmania 1992: an election without television and radio commercials", *Parliamentarian*, Vol. LXXIII, No. 4, October 1992, pp.258-261.

Tasmania's tardiness in holding its first bicameral parliamentary session, and so losing out to NSW, delays in holding Tasmanian elections meant that despite this first, it must accept "second" place for secret ballot implementation. Contrary to existing information, Tasmania's first secret ballot House of Assembly election was on Monday 8 September 1856 and not 1858.

Furthermore, Tasmania's legislation, unlike interstate Bills, contained secret ballot clauses from the outset, which places it ahead of interstate versions. The relevant *Electoral Act* also obtained Queen Victoria's Royal Assent weeks before Victoria and South Australia. Also yet another reinterpretation of Tasmania's place in the history of the secret ballot is possible. Based on simple date counting from Table Two, it places Tasmania ahead, by fifteen days, as the first Australian Parliament to implement the secret ballot innovation for the popular or people's House of Assembly!

Table Two: Passage and Implementation of Secret Ballot

State	Passage of Ballot		Inaugural Elections	
	Introduced	Royal Assent	Date	Chamber
Tasmania	Governor's Speech: 28 Nov. 1855: Parliament 1 Dec 1855, passed 4 Feb 1856	7 Feb. 1856 Queen's Assent received 24 Sep 1856	6 Oct. 1856 8 Sept. 1856	Council Assembly
Victoria	2 Feb 1856; ballot clauses inserted 23 Feb. 1856, passed 13 March 1856	19 March 1856	27 Aug. 1856 23 Sept. 1856	Council Assembly
South Australia	2 Nov. 1855 Initially without ballot clauses, passed 12 February 1856	2 April 1856: Queen's Assent received 24 Oct 1856	9 Mar. 1857	Both Houses

In conclusion, although previously lost in "perfect secrecy" this research note proves the secret ballot in Tasmania did not start, as repeatedly cited, in 1858. Whilst his dispatch to London accompanying this legislation has not survived, shortly after the first elections using the ballot Governor Young told the inaugural meeting of the island's bicameral Parliament on 2 December 1856 that the "system of voting by ballot had proved economical and convenient". Finally, we now know that the island's *Electoral Act* was only revised in 1858. This research note has argued and confirmed that Tasmania obtained the secret ballot in 1856 two years earlier than currently accepted political wisdom dictates.