

laid before the legislature is an actual allowance of such charge, is utterly unwarrantable. If this were allowed any weight at all, it could only apply to oblivion for the past but could never furnish an authority for future payments, a positive enactment being the only mode of expressing the will of the legislature—the only mode which is public and binding on all His Majesty's subjects within the province—and without which, or some pre-existing law, none of them can rightfully be deprived of even the smallest portion of his property which such unauthorised expenditure might entail.

Your committee can not dismiss this subject, without expressing its (their) disapprobation of the authority assumed by the committee of the executive council for the audit of public accounts, of finally pronouncing upon all the charges comprised in the contingent expenses of this province, thereby essentially encroaching upon the privilege of the assembly, the only constitutional authority by which such contingencies ought to be regulated and controlled.

The public provincial accounts from the year 1817 to the year 1820, inclusively, next occupied the attention of your committee.

The total amount expended during the period aforesaid, as appears by the list of warrants issued by the administration of the government, annually submitted to the legislature is £ 517. 577. 14. 10 1-4, and the total amount raised on the people, in virtue of imperial and provincial acts, amounts to £ 430,280 5. 15 1-4; shewing an excess of expenditure, beyond the money raised during that period, of £ 87,297. 9. 0; which, added to the excess of expenditure, up to the year 1816, inclusively, will form a total excess of expenditure beyond the revenue, from the commencement of the constitution in 1792, until the 1st of November 1820, of £ 285,326 12. 5 3-4.

Your committee refer the house to the observations already made on this subject, from which they feel warranted in concluding that, deducting from this excess, the pay and clothing of the militia, during the last American war, and other unauthorised payments, unconnected with the administration of justice and the support of the civil government, a sum has been raised in this province, up to this period, more than sufficient to cover the whole of the expenses of its civil government, including the special and general appropriations of the legislature.

The supplementary public provincial accounts for the year ending the 1st of November, 1818, contain a list of warrants for services of that year, issued subsequent thereto, shewing an apparent excess of expenditure, beyond the appropriations, of £ 898. 16. 10 1-2. sterling.

Your committee abstain from making any observations on