

No. 7.

4th Session, 3rd Parliament, 14 Victoria, 1851.

BILL.

An Act to prohibit the Expenditure of Public Monies for purposes not previously authorised by Law, and to limit the granting of Pensions.

Received and read a first time, Friday 23rd
May, 1851.

Second reading, Monday 9th June, 1851.

Hon. Mr. BOULTON.

B I L L .

An Act to prohibit the Expenditure of Public Monies for purposes not previously authorised by Law, and to limit the granting of Pensions.

WHEREAS the appropriation and Expenditure of the Public Revenue of this Province by the discretionary authority of the Executive Government necessarily tends to extravagance and to the great detriment of the best interests of the people :—Be it therefore enacted, &c.

Preamble.

That from and after the passing of this Act no warrant shall be signed, issued or addressed to the Receiver General, or any other Public Functionary, for the payment of any sum of money whatever out of the Public Revenue of this Province, and it shall not be lawful for the Receiver General, or any Public Functionary, to pay any sum of money therein mentioned, unless the amount and purpose of such payment shall have previously been authorised by an Act of the Legislature, the title whereof shall be set forth in the body of such warrant as the authority for issuing the same; nor shall any contract be entered into, nor authority given by any member of the Government or other Public Officer in the employment of the Government of this Province, involving the Expenditure of Public Money, unless authorised by an express Act of the Parliament of this Province, so to do.

No warrant to issue or contract to be entered into unless authorised by some Act of the Legislature.

II. And be it enacted, That no Pension shall hereafter be granted or paid to any Public Functionary whatever, nor shall any Public Functionary receive any Pension, until in each particular case an Act of the Parliament of this Province shall hereafter have been passed determining the amount thereof, and the period whence such Pension shall commence and to which the same shall continue to be paid, any Act heretofore passed, or any usage, order in Council or other matter or thing to the contrary thereof in anywise notwithstanding.

No pension to be granted or paid except under some Act applying expressly to the case.

III. And be it enacted, That no Public Functionary, Officer, Clerk or other person shall be employed by or under the authority of the Provincial Government in any ordinary duty, office or employment, or receive any emolument for the performance of any public duty or service until the office or employment shall have been created or authorised by an Act of the Legislature, expressing in general terms the duties of each office, and the services which he shall be required to discharge, or the office in which each subordinate shall be intended to be employ-

No Officer to be employed until the Office shall have been sanctioned by Act of the Legislature.

Proviso.

ed. Provided always that nothing herein contained shall extend or be construed to apply to the expenditure of any sum of money granted by the Legislature for unforeseen casual or contingent expenses, or expended to avert any great public calamity or accident, and to be accounted for at any ensuing Session of Parliament. 5

Penalty on Officers of Government contravening this Act.

IV. And be it further enacted, That if any Officer of the Government of this Province shall do or perform any act or thing contrary to the provisions of this Act, he shall forfeit the sum of *five hundred pounds*, to be recovered by action of debt in any of Her Majesty's Courts of Record in this Province, one-half whereof shall go to the party suing therefor, and the other half shall be paid to the Receiver General, to be placed to the credit of the Common School Fund of this Province. 10 15