

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1858. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1858.

21 Victoria – Chapter 48

An Act to authorize investigation in cases of Fire in the City of Saint John and Parish of Portland in the County of Saint John. Passed 6th April 1858.

Section.

1 & 2. Inquiry as to the origin of fires to be instituted.

Section.

3. Attendance and answering of witnesses, enforcement of.

4. False swearing made perjury.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. It shall be the duty of the Police Magistrates and Superintendents of Police for the City of Saint John and Parish of Portland respectively, when any fire shall occur whereby any house or building, vessel, ship, structure or property in such City or Parish respectively, shall be wholly or in part consumed, to institute an inquiry into the cause or origin of such fire, and for that purpose they are hereby authorized and required to summon and bring before them all persons whom they or either of them may deem capable of giving information or evidence touching or concerning such fires, and to examine such persons under oath, and to reduce their examinations to writing, and return the same to the Clerk of the Peace for the City and County of Saint John.

2. Such Police Magistrates and Superintendents of Police shall inquire into the cause or origin of the fire, and whether the same was kindled by design or was the result of accident or of negligence, and act accordingly.

3. If any person summoned to appear before the Police Magistrates and Superintendents of Police in virtue of this Act, shall neglect or refuse to appear at the time and place specified in the summons, or if any person appearing in obedience to any such summons shall refuse to be examined, or to answer any question that may be put to him in the course of his examination, it shall be lawful for such Police Magistrates and Superintendents to enforce the attendance of such person, or to compel such person to answer, as the case may require, by the same means as are used by them for such purposes in other cases.

4. Any person guilty of false swearing under this Act shall be guilty of perjury, and subject to all the pains and penalties therefor.