

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 22

An Act to authorize investigation in cases of Fire in the several Counties of this Province. Passed 23rd April 1862.

Section.

1. Authority of Justice to make inquiry.
2. Justice to inquire into origin of fire.

Section.

3. Justices empowered to compel persons to appear and give evidence.
4. Perjury.

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

1. It shall be the duty of any Justice of the Peace in and for the several Counties in this Province, when any fire shall occur whereby any house or building, structure or property in any such County, shall be wholly or in part consumed, upon application to him made for that purpose, to institute an inquiry into the cause or origin of such fire, and for that purpose the said Justices respectively are hereby authorized and required to summon and bring before him, all persons who he may deem capable of giving information or evidence touching or concerning such fires, and to examine such persons under oath, which oath the said Justices respectively are authorized to administer, and to reduce their examination to writing, and file the same in the office of the Clerk of the Peace for the County where the investigation is made.
2. Such Justice 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.
3. If any person summoned to appear before the said Justice by virtue of this Act, and having his fees, agreeably to Title xli, Chapter 163, of the Revised Statutes, paid or tendered to him, 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 lawful questions that may be put to him in the course of his examination, it shall be lawful for such Justice 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 Justices of the Peace 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.