

ACT NO. XIII OF 1873.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 7th August 1873).

An Act to amend the law relating to Timber floated down the rivers of British Burma.

WHEREAS it is expedient to amend the law relating to timber floated down the rivers of British Burma; It is hereby enacted as follows:—

Preamble.

I.—Preliminary.

1. This Act may be called "The Burma Timber Act, 1873 :"

Short title.

It extends only to the territories for the time being under the administration of the Chief Commissioner of British Burma;

Local extent.

And it shall come into force on the seventh day of September 1873.

Commencement.

2. The enactments mentioned in the schedule hereto annexed are repealed to the extent mentioned in the third column of the said schedule.

Enactments repealed.

II.—Duties.

3. On all timber the produce of forests situate beyond the frontier of British Burma and floated down any of the rivers of the Martaban and Tenasserim Provinces, or past a frontier custom-house on the Irrawaddy or Sitang, a duty shall be levied, in such manner, at such places, by such persons, and to such extent, as the Chief Commissioner, with the previous sanction of the Governor General in Council, from time to time prescribes by notification in the *British Burma Gazette* :

Duty on timber.

Provided

Provided that, if the duty is directed to be levied on each log of the said timber, it shall not exceed two rupees twelve annas per log of five feet in girth and upwards, and one rupee six annas per log of less than five feet in girth :

Provided also that, if the duty is directed to be levied *ad valorem*, it shall not exceed eight per cent. on the value.

Power to fix value for assessment of duty.

4. In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, with the like sanction, from time to time fix, by like notification, the value on which the duty shall be assessed.

Legalization of prior levy of duty.

5. All duties levied before this Act comes into force on timber floated down any of the rivers of British Burma, shall be deemed to have been levied in accordance with law.

Indemnity.

And all officers and other persons are hereby indemnified for anything done before this Act comes into force, which might lawfully have been done if this Act had been in force; and no suit or other proceeding shall be maintained against any such officer or other person in respect of anything so done.

III.—Rules.

Rules for timber floated.

6. The Chief Commissioner may from time to time, with the previous sanction of the Governor General in Council, make rules as to all or any of the following matters :—

- (a) the time and manner of floating timber and bamboos down any of the rivers of British Burma,
- (b) the detention and examination of timber and bamboos so floated,
- (c) the marking of timber so floated, and the use and registration of timber-marks and marking-hammers,
- (d) the sale of unclaimed timber so floated,
- (e) the salving and collecting of timber so floated,
- (f) the protection of timber in transit,

(g) the

(g) the descriptions of timber which may lawfully be floated, and the descriptions of timber which may not lawfully be floated, down any such river,

(h) the collection of royalty due on timber or bamboos so floated, and

(i) such other matters connected with timber and bamboos floated down any of the rivers of British Burma, as the Chief Commissioner may from time to time think fit to regulate.

And all timber and bamboos found on, in or by any of such rivers, or stranded on the seashore, or adrift on the sea, which has been floated contrary to any rules made under this section and for the time being in force, may be confiscated.

SCHEDULE.

(See section 2).

Number and year.	Title.	Extent of repeal.
XXX of 1854.	An Act to provide for the levy of Duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	Sections one, seven, eight and twelve. Sections four and six, so far as they relate to timber floated down the rivers of British Burma.
IV of 1863.	An Act to give effect to certain Provisions of a Treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor General of India, and His Majesty the King of Burma.	The whole Act, so far as it relates to duty on such timber.
VII of 1869.	An Act to give validity to certain Rules relating to Forests in British Burma.	The whole Act, so far as it gives validity to rules relating to duty on such timber.
	The Rules for the better management and preservation of the Government forests of British Burma, dated the 2nd August 1865.	So far as they relate to duty on such timber.