

Forest and Waste Lands.

Ordinance enacted by the Governor of Ceylon, with
the advice and consent of the Legislative
Council thereof.

No. 10.—1885.

**An Ordinance relating to Forests and Waste Lands, and to
the felling and transport of Timber.**

ARTHUR GORDON.

BE it enacted by the Governor of Ceylon, with the advice and
consent of the Legislative Council thereof, as follows:—

CHAPTER I.

PRELIMINARY.

1. This Ordinance may be called "The Forest Ordinance,
1885":

Short title

2. Ordinance No. 6 of 1878, entitled "An Ordinance to
amend the Law relating to the felling, destruction, and removal
of Timber grown on Crown Lands," is hereby repealed; provided
that this repeal shall not affect—

Repeal of
enactments.

(a) the past operation of any enactment hereby repealed, nor
anything duly done or suffered under any enactment
hereby repealed; nor

(b) any right, privilege, obligation or liability acquired,
accrued, or incurred under any enactment hereby
repealed; nor

(c) any penalty, forfeiture or punishment incurred in respect
of any offence committed against any enactment hereby
repealed; nor

(d) any legal proceeding or remedy in respect of any such
right, privilege, obligation, liability, penalty, forfei-
ture or punishment as aforesaid.

3. In this Ordinance, and in all rules made hereunder, unless
there is something repugnant in the subject or context,—

Interpretation
clause.

"forest-officer" means all persons appointed by name or as
holding an office by or under the orders of the Governor to be
conservators, deputy-conservators, assistant conservators, or
foresters, or to discharge any function of a forest-officer under this
Ordinance or any regulation or rule made hereunder:

"forest-officer."

"forest-ranger" means all headmen not forest-officers and all
forest-guards or forest-watchers or peons.

"headmen" means all persons holding appointments as territorial
headmen by warrant or act under the hand of the Governor or of
the Government Agent, excepting headmen appointed for irrigation
purposes or for the purposes of the Village Communities Ordi-
nances:

"headmen."

"tree" includes bamboos, stumps, and brushwood, palms, and
trees in all stages of their growth:

"tree."

"timber" includes trees when they have fallen or have been
felled, and all wood, whether cut up or fashioned or hollowed out
for any purpose or not:

"timber."

Forest and Waste Lands.

- "forest:" "forest" means all land at the disposal of the Crown :
- "forest-produce:" "forest-produce" includes the following things when found in, or brought from, a forest (that is to say) :
minerals (including limestone and laterite), surface-soil, trees timber, plants, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruits, seeds, roots, juice, catechu, bark, caoutchouc, gum, wood-oil, resin, varnish, lac, charcoal, honey, wax, stone, ruins, clay, gravel, and earth :
- "forest-offence:" "forest-offence" means an offence punishable under this Ordinance or any regulation or rule made hereunder :
- "cattle:" "cattle" includes elephants, buffaloes, horses, geldings, ponies, colts, mules, asses, pigs, sheep, lambs, goats, kids, and calves
- "river:" "river" includes streams, canals, creeks, reservoirs, lakes, and other channels, natural or artificial :
- "reserved-forest" includes stream reservations and reservations on the banks of rivers :
- "forest-plantation" means any plantation made in any reserved or village forest :
- "land at the disposal of the Crown:" 1812
"land at the disposal of the Crown" means all land :
(a) which, under Ordinance No. 12 of 1840, is presumed to be the property of the Crown until the contrary be proved, saving any rights acquired under section 8 of the said Ordinance ; and saving all rights to paddy lands on which taxes have been paid for thirty years or upwards ;
(b) in respect of which no person has acquired any right, by written grant or lease made by or on behalf of the British, Dutch or Native Governments, and duly registered as required by law ;
(c) in respect of which no person has acquired a right as against the Crown by the issue to him of any certificate of no claim by the Crown under Ordinances No. 12 of 1840 or No. 1 of 1844 ;
(d) not registered as Temple Lands under Ordinance No. 10 of 1856.
- "police officer" includes police headmen, police vidhans, and constables :
- "Government Agent" means the Government Agent of the Province :
- "Assistant Government Agent" means the Assistant Government Agent of the District.
- "imprisonment:" "imprisonment" means either rigorous or simple imprisonment as the Court adjudging the same may impose.
4. If in any prosecution or proceeding under this Ordinance any question shall arise as to the title to the land in respect of which any such prosecution or proceeding shall be taken, the court or officer having jurisdiction to entertain and adjudicate upon any such prosecution or proceeding shall, for the purposes of the said prosecution or proceeding, have jurisdiction to try and determine any such question of title. Provided that the judgment or decision of such court or officer on any such question shall not be

Forest and Waste Lands.

received as evidence of title or pleaded in bar in any civil suit or proceeding in which the title to the land in question may be put in issue. *h 1-1892*

CHAPTER II.

OF RESERVED FORESTS.

5. The Governor may constitute any land at the disposal of the Crown a reserved forest in manner hereinafter provided.

Power to reserve forests.

6. Whenever it is proposed to constitute any land a reserved forest, notice thereof shall be published in the *Government Gazette*—

Notice in *Gazette*.

- (a) specifying as nearly as possible the situation and limits of such land ;
- (b) declaring that it is proposed to constitute such land a reserved forest ;
- (c) naming an officer (hereinafter called "the forest-settlement-officer") who shall be appointed by the Governor to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limits of chena cultivation, and to deal with the same as provided in this chapter.

7. When a notice has been published under section six, the forest-settlement-officer shall publish in the language of the district in every chief headman's division in which any portion of the land comprised in such notice is situate, and in every town and village in the immediate neighbourhood of such land, a notification—

Notification by forest-settlement-officer.

- (a) specifying as nearly as possible the situation and limits of the proposed forest ;
- (b) setting forth the substance of the provisions of section eight ;
- (c) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest ; and
- (d) fixing a period of not less than three months from the date of publishing such notification, and requiring every person claiming any right or making any claim referred to or mentioned in section six either to present to such officer within such period a written statement specifying, or to appear before him within such period and state, the nature of such right or claim.

8. During the interval between the publication of such notification and the date fixed by the proclamation declaring the forest to be reserved as provided in section 19, no right shall be acquired in or over the land comprised in such proclamation, except by inheritance or succession or under a grant or contract in writing made or entered into by, or on behalf of, the Crown or some person in whom such right, or power to create the same, was vested when the notification was published ; and, on such land, no new house

Bar of accrual of forest-rights.

Forest and Waste Lands.

Prohibition of building, clearing, &c.

shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture, except with the permission, in writing, of the Government Agent or Assistant Government Agent.

Inquiry by forest-settlement-officer.

9. The forest-settlement-officer shall take down in writing all statements made under section seven, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section six in respect of which no claim is made. The forest-settlement-officer shall at the same time consider and record any objection which a forest-officer may make to any such claim or to the existence of any such right or practice.

10. The record of all evidence, whether oral or documentary, taken by the forest-settlement-officer at the investigation of each claim shall be made up in a separate file, and the finding or decision thereon, and his reasons therefor, and all orders of the forest-settlement-officer in relation thereto, shall be duly entered on the said record. The record so made up shall be open at all reasonable times, upon application in writing being first made to the forest-settlement-officer, to the inspection of any party interested in such claim, who shall be entitled to copies of such record or any part thereof, to be made at the expense of the party applying for the same.

Powers of forest-settlement-officer.

11. For the purposes of such inquiry, the forest-settlement-officer may exercise the powers conferred on Commissioners appointed under the provisions of Ordinance No. 9 of 1872, for compelling the attendance of witnesses and the production of documents, provided that the requirements of the proviso to section 2 of such Ordinance shall not be necessary for the purposes of this Ordinance.

1892

Claims relating to practice of chena cultivation how dealt with.

12. In the case of a claim relating to the practice of chena cultivation, the forest-settlement-officer shall pass an order specifying the particulars of such claim and permitting, or refusing to permit, such practice wholly or in part.

If such practice is permitted wholly or in part, the forest-settlement-officer may—

- (a) alter the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants; or
- (b) cause certain portions of the reserved forest to be separately demarcated, and give permission to the claimants to practice chena cultivation therein under such rules and conditions as he may prescribe.

No right, further than permission, to practice chena cultivation shall be deemed to be conferred by an order under this section permitting such practice, and, except with the sanction of the Government Agent or Assistant Government Agent such cultivation shall only be practised by the person or community to whom such permission is granted.

Forest and Waste Lands

13. In the case of a claim to a right in or over any land other than the following rights:—

- (a) a right of way,
- (b) a right to use of water,
- (c) a right of pasture, or to forest produce,

the forest-settlement-officer shall pass an order specifying the particulars of such claim, and admitting or rejecting the same wholly or in part.

If such claim is admitted wholly or in part, the forest-settlement-officer may (1) come to an agreement with the claimant for the surrender of the right; or (2) exclude the land from the limits of the proposed forest; or such land may be acquired in the manner provided by "The Land Acquisition Ordinance, 1876," and Ordinance No. 6 of 1877. *h 1892*

14. In the case of a claim to rights of the kind specified in clauses (a), (b) and (c) of section thirteen, the forest-settlement-officer shall pass an order specifying the particulars of such claim, and admitting or rejecting the same wholly or in part.

When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or buildings, he shall record the designation, position and area of such land, and the designation and position of such buildings.

Where the right is a right to forest-produce, he shall also record whether the forest-produce obtained by the exercise of such right may be sold or bartered, and such other particulars as may be necessary in order to define the nature, incidents and extent of the right.

15. When the forest-settlement-officer has admitted wholly or in part, and recorded under section fourteen, a claim to a right of pasture or to forest-produce, he shall as far as possible provide for the exercise of such right—

- (a) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimant;
- (b) by recording an order continuing to the claimant a right of pasture or to forest-produce (as the case may be), subject to such rules as may from time to time be prescribed on that behalf by the Government Agent.

The order passed under clause (b) shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted; or

the quantity of timber or other forest-produce which the claimant is authorized to take or receive, the local limits within which, the season during which, and the mode in which, the taking of such produce is permitted; and

such other particulars as may be required in order to define the extent of the right which is continued, and the mode in which it may be exercised.

Power to acquire land over which right is claimed.

Order on claims to rights of way water-course, pasture, and to forest-produce.

Provision for rights of pasture or to forest-produce admitted.

Forests and Waste Lands.

Commutation of such rights.

16. Whenever any right of pasture or to forest-produce admitted under section fourteen is not provided for in one of the ways prescribed in section fifteen, the forest-settlement-officer shall, subject to such regulations as the Governor may from time to time prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

Appeal from order passed under foregoing sections.

17. Any person who has made a claim under this chapter may within three weeks from the date of any order passed on such claim by the forest-settlement-officer under section twelve, thirteen, fourteen, fifteen or sixteen, present an appeal from such order to the Government Agent.

Appeal under section 17.

18. Every appeal under section seventeen shall be made by petition in writing, and may be delivered to the forest-settlement-officer, who shall forward it without delay to the Government Agent.

Notification declaring forest reserved.

19. When the following events have occurred, namely:—

(a) the period fixed under section seven for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the forest-settlement-officer, and

(b) If such claims have been made, the periods fixed for appealing from the orders passed on such claims have elapsed, and all appeals (if any) presented within such period have been disposed of by ~~the appellate officer,~~ ^{the Supreme Court,} and

(c) all lands (if any) to be included in the proposed forest, which may be acquired under section thirteen, have become vested in the Crown,

the Governor shall by proclamation to be published in the *Government Gazette*, specify the limits of the forest which it is intended to reserve, and declare the same to be reserved from a date fixed by such proclamation.

From the date so fixed, such forest shall be deemed to be a reserved forest.

Extinction of rights not claimed.

20. Rights in respect of which no claim has been preferred under section seven, and of the existence of which no knowledge has been acquired by enquiry under section nine, shall thereupon be extinguished, unless before the publication of such proclamation, the person claiming them has satisfied the forest-settlement-officer that he had sufficient cause for not preferring such claim within the period fixed under section seven.

Provided however, that the rights of any person who was absent from the Island when the enquiry by the forest-settlement-officer was held, may be enquired into at any time during the twelve months succeeding the institution of such enquiry. Provided further, that this reservation of the rights of an absentee claimant shall not in any way stay the publication of the proclamation aforesaid.

Publication of translation of

21. The Government Agent of the province in which the forest so reserved is situate shall, before the date fixed by such

Forest and Waste Lands

proclamation, cause a translation thereof in the language of the district to be published in the manner prescribed under section seven.

such notification in neighbourhood of forest.

22. The Governor with the advice of the Executive Council, may, within five years from the publication of any proclamation under section nineteen, revise any arrangement made under section twelve, fourteen, or fifteen, and may rescind or modify any order made under this chapter, and direct that any one of the proceedings specified in section fifteen be taken in lieu of any other of such proceedings, or that the permission granted under section twelve, or rights admitted under section fourteen, be commuted under section sixteen.

Power to revise arrangement made under section 12, 15, or 18.

23. No right of any description shall be acquired in or over a reserved forest, except by inheritance or succession, or under a grant or contract in writing made by, or on behalf of the Crown, or some person in whom such right, or the power to create such right, was vested when the proclamation under section nineteen was published.

No right acquired over reserved forest except as here provided.

24. Notwithstanding anything herein contained, no right continued under section fifteen shall be alienated by way of grant, sale, lease, mortgage or otherwise, without notice thereof to the Government Agent: provided that when any such right is continued for the beneficial enjoyment of any land or house, it may be sold or otherwise alienated with such land or house, without such sanction.

Rights not to be alienated without sanction.

No timber or other forest-produce obtained in exercise of any right so continued shall be sold or bartered, except to the extent defined by the order recorded under section fifteen.

25. Any forest-officer may, from time to time, with the previous sanction of the Government Agent, stop any public or private way or water-course in a reserved forest: provided that for the way or water-course so stopped another way or water-course, which in the opinion of the Government Agent is equally convenient, already exists or has been provided or constructed by such forest officer.

Power to stop ways and water-courses in reserved forest.

Provided further, that it shall be lawful for the Government Agent to determine the amount of compensation to be paid in case he is of opinion that the substituted way or water-course injuriously affects the interests of one or more individuals to whom on that account compensation should be paid.

26. A person who in a reserved forest—

- (a) trespasses, or pastures cattle, or wilfully causes cattle to trespass,
- (b) causes any damage by negligence in felling any tree, or cutting or dragging any timber,
- (c) wilfully strips off the bark or leaves from, or otherwise damages any tree,
- (d) in contravention of any rules made by the Government Agent of the province on that behalf, hunts, shoots, fishes, poisons water, or sets traps or snares, or guns, or uses any explosive substance,

Penalties for trespass or damage in reserved forests.

Forest and Waste Lands.

shall be guilty of an offence and be liable on conviction to a fine which may extend to fifty rupees, or, when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited
in such forests.

27. Any person who—

- (a) makes any fresh clearing prohibited by section eight, or
- (b) sets fire to a reserved forest, or in contravention of any rules made by the Government Agent, kindles any fire, or leaves any fire burning in such manner as to endanger the reserved forest, or any part thereof,

or who, in a reserved forest

- (c) kindles, keeps or carries any fire except at such seasons and in such manners as a forest-officer, specially empowered in this behalf, may from time to time notify,
- (d) fells, girdles, lops, taps or burns any tree,
- (e) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce,
- (f) clears or breaks up any land for cultivation or any other purpose,

shall be guilty of an offence and be liable to be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting court may direct to be paid.

Such compensation when awarded shall be treated in all respects as a fine, shall be recoverable as such, and shall not exceed the amount of fine which such court has power to impose.

Acts excepted
from prohibition
contained in
sections 26 and 27

28. Nothing in section twenty-six or section twenty-seven shall be deemed to prohibit (a) any act done in accordance with any regulation made by the Governor or with the permission in writing of a forest-officer empowered to grant such permission; or, (b) any practice of chena cultivation permitted under section ~~eleven~~ ^{twenty}; or (c) the exercise of any right continued under section fifteen or created by grant or contract in the manner described in section twenty-three.

Penalty for
offences
committed by
persons having
rights in reserved
forests.

29. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest, or having permission to practise chena cultivation therein, or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of section twenty-four, the Governor may (notwithstanding that a penalty has been inflicted under section twenty-seven in respect of such fire) direct that in such forest or any specified portion thereof the exercise of all or any of the rights of pasture or to forest-produce shall be extinguished or suspended for such period as he thinks fit, and may withdraw any permission to practise chena cultivation in such forest or portion.

Forests and Waste Lands.

30. The Governor may, by proclamation in the *Gazette*, direct that from a date fixed by such proclamation, any forest or any portion thereof reserved under this Ordinance shall cease to be reserved.

Power to declare forest no longer reserved.

From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

31. Any forest which has been declared a reserved forest under any law in force, previous to the day on which this Ordinance comes into force, shall be deemed to have been reserved hereunder; and all questions decided, orders issued and records prepared in connection with the reservation of such forest, shall be deemed to have been decided, issued and prepared hereunder, and all provisions of this Ordinance relating to reserved forests shall apply to such forest.

Forests reserved under former law.

32. In the event of any claim being preferred, within five years from the date of the passing of this Ordinance, to rights in any forest which under section 31 has been continued as a reserved forest, enquiry shall be made into such claim, and it shall be dealt with in the same manner as if it had been made under sections twelve, thirteen, and fourteen.

Claims made under section 31 within five years to be dealt with as claims made under sections 12, 13, and 14.

33. Any person who considers himself aggrieved by the decision or order of a Government Agent in respect of any claim made under section 13 or section 14 may further appeal to the Supreme Court, provided such person swear an affidavit to the effect that the value of the right with regard to which the order or decision has been given against him is Rs. 250 or upwards, and provided that such affidavit be sworn to and that notice of any such appeal be given in writing and delivered to the Government Agent within three weeks from the date of the order appealed against. The Government Agent on receiving such affidavit and notice of appeal shall transmit the same together with the record of the proceeding in question to the Registrar of the Supreme Court, and the said Court shall make such order as the Justice of the case may require, and such order shall be duly carried into effect. Stamp duty shall be charged upon every such petition of appeal and upon every such affidavit at the rates specified in the schedule to "The Stamp Duties' Ordinance, 1884" for similar instruments in the District Courts, and upon the subsequent proceedings at the rates specified in the said Schedule for appeals from the District Courts; and every such appeal shall be dealt with and disposed of in the same manner and subject to the same rules as appeals from interlocutory orders of District Courts are dealt with and disposed of.

Appeal to Supreme Court from decisions on claims made under sections 13, 14, or 32.

CHAPTER III.

OF VILLAGE FORESTS.

34. The Governor may, by proclamation in the *Gazette*, constitute any portion of forest a village-forest for the benefit of any village-community or group of village-communities, and may in like manner vary or cancel any such proclamation.

Constitution of village-forests.

Forests and Waste Lands.

Every such proclamation shall specify the limits of such village-forest.

Trees in schedule A. village-forest the property of Government.

35. All trees enumerated in schedule A. hereto in a village-forest shall be deemed to be the property of the Crown; and no person shall cut, mark, lop, girdle, or injure by fire or otherwise, any such trees without the permission of a forest-officer empowered to grant such permission.

Power to make rules for village-forests.

36. The Governor with the advice of the Executive Council may make regulations for the management of village-forests, prescribing the conditions under which the community or group of communities, for the benefit of which any such forest is constituted, may be provided with timber or other forest-produce or with pasture, and their duties in respect of the protection and improvement of such forest.

The Governor with the advice of the Executive Council may, by such regulations, declare any of the provisions of chapter II. of this Ordinance to be applicable to village-forests.

Saving of private rights.

37. Nothing in this chapter shall be deemed to affect any existing rights of any person in or over any village-forest.

Power to inquire into and deal with such rights.

The Governor may in any case direct that all claims to any such rights, other than the rights of the village-community or group of village communities for the benefit of which such village-forest is constituted, shall be inquired into, recorded and provided for in the manner prescribed by chapter II. of this Ordinance.

Penalty for breach of sections 34 and 35.

38. Every person who shall do any of the acts prohibited by section thirty-five, and every person who commits a breach of any of the regulations made under section thirty-six, shall be guilty of an offence punishable by a fine not exceeding one hundred rupees, or by imprisonment which may extend to six months.

CHAPTER IV.

OF THE PROTECTION OF FORESTS AND FOREST-PRODUCE.

Reserved trees.

39. All trees enumerated in schedule B. hereto standing in any forest shall be deemed reserved trees, and the Governor may by notification in the *Gazette*—

(a) declare that any other trees or any specified class of other trees standing in any forest land shall, from a date to be fixed by such notification, be reserved trees;

(b) vary or cancel any such notification.

Protection of reserved trees.

40. No person shall cut, mark, lop, girdle, tap, or injure by fire or otherwise, any reserved tree, except as provided by rules made by the Government Agent on this behalf, or with the permission in writing of a forest-officer empowered by the Government Agent to grant such permission.

Whoever cuts, marks, lops, girdles, taps, or injures by fire or otherwise, any reserved tree in contravention of this section, shall be punished with a fine which may extend to twenty rupees, or, when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

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Forests and Waste Lands.

41. No person shall clear, set fire to, or break up the soil of, or make use of the pasturage or of the forest-produce of any forest, and not included in a reserved or village-forest, except in accordance with rules which may be prescribed by the Government Agent, subject to the approval of the Governor, with the advice of the Executive Council. Such rules may, with respect to such land—

Power to make rules generally.

- (a) regulate or prohibit the cutting of, or setting fire to chenas, or the issue of grants or leases by Government with respect to land on which trees enumerated in schedule B. hereto are growing ;
- (b) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires ;
- (c) regulate or prohibit the cutting, sawing, conversion and removal of trees and timber, and the collection and removal of forest produce ;
- (d) regulate or prohibit the building of houses or huts, the quarrying of stone or coral, or the digging for plum-bago or gems, or the burning of lime or charcoal ;
- (e) regulate or prohibit the cutting of grass and the pasturing of cattle, and regulate the payments (if any) to be made for such cutting or pasturing ;
- (f) regulate or prohibit hunting, shooting, fishing, poisoning water and setting traps or snares or guns ; or the use of explosives ;
- (g) regulate the sale or free grant of timber or other forest produce ; and
- (h) prescribe, or authorize any forest-officer to prescribe, subject to the sanction of the Governor, the fees, royalties or other payments for such timber or other forest produce, and the manner in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

Nothing in this section shall be deemed to affect any existing rights of any person in or over pasturage. V.D. 11372 12

42. The breach of any of the provisions of, or regulations or rules made under this chapter, shall constitute an offence punishable by a fine not exceeding one hundred rupees or by imprisonment which may extend to six months.

Penalties for acts in contravention of rules.

43. No act shall be deemed to be an infringement of any rule made under this chapter if done with the permission in writing of the Government Agent or Assistant Government Agent.

Nothing in this chapter to prohibit acts done in certain cases.

43a. Rules which shall apply to reserved forests.

CHAPTER V.

OF THE CONTROL OF TIMBER AND FOREST-PRODUCE
IN TRANSIT.

44. The Governor, with the advice of the Executive Council, may make regulations respecting the transit of all forest-produce by land or water.

Forests and Waste Lands.

Power to make
rules to regulate
transit of timber.

Such regulations may among other matters—

- (a) prescribe the places at and the routes by which alone forest-produce may be exported from, or removed within, the Colony ;
- (b) prohibit the import and export or moving of such forest-produce without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass ;
- (c) provide for the issue, production and return of such passes ;
- (d) fix the fees payable for such passes $\frac{1}{2}$ 1892 11. (2)
- (e) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof, or not acting on behalf of such owner or of the Crown ;
- (f) provide for the stoppage, reporting, examination and marking of timber in transit, in respect of which there is reason to believe that any money is payable to the Crown, or to which it is desirable, for the purposes of this Ordinance, to affix a mark ;
- (g) establish, or authorize any forest-officer to establish, subject to the control of the Governor, stations to which such timber shall be taken by those in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it ; and the conditions under which such timber shall be brought to, stored at, and removed from, such station ;
- (h) provide for the management and control of such stations, and for regulating the appointment and duties of persons employed thereat ;
- (i) authorize the transport of timber the property of the Crown across any land, and regulate the compensation to be paid for any damage done by the transport of such timber ;
- (j) prohibit the closing up or obstruction of the channel or banks of any river lagoon or backwater used for the transit of timber, and the throwing of grass, brushwood, branches and leaves into any such river, lagoon or backwater, or any other act which tends to cause the obstruction of such channel ;
- (k) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, lagoon or backwater and for recovering the cost of such prevention or removal from the person, or by the sale of any timber, causing such obstruction ;
- (l) prohibit absolutely, or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking or supermarking of timber, the altering or effacing of any marks on the same, and possession or carrying

Forests and Waste Lands

of marking-hammers or other implements used for marking timber ;

- (m) regulate the use of property-marks for timber, and the registration of such marks ; declare the circumstances in which the registration of any property-marks may be refused or cancelled ; prescribe the time for which such registration shall hold good ; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

45. The breach of any of the provisions of, or regulations made under, this chapter shall constitute an offence punishable by a fine not exceeding one hundred rupees or by imprisonment which may extend to six months. Provided that any such regulation may, within the above limits, prescribe any punishment, or maximum or minimum punishment, for the breach of all or any of the provisions thereof.

Penalties

46. No timber shall be removed from any land without a pass from the Government Agent, or from some person authorized by the Government Agent in that behalf. Such pass shall specify the description, marks, and dimensions of the timber, the place from which and the place to which it is to be removed, the time within which it is to be removed, and the name of the person or persons authorized to remove it, and the name of the forest officer or headman by whom it is to be stamped.

Timber not to be removed without a pass from the Government Agent.

47. The Government Agent, in case there is reasonable ground for supposing that any timber for the removal of which a permit is desired has been felled on land which is not private property, may require the person claiming to be the owner of the land on which the timber has been felled, to mark the boundaries of the said land, and to call upon the Surveyor-General to inspect such boundaries as provided by the 12th section of Ordinance 1 of 1844 ; and the Government Agent may defer the issue of the pass to remove the timber until the certificate of the Surveyor-General has been produced.

Government Agent may require person claiming land to mark boundaries.

48. The forest-officer or any other officer thereto authorized shall have power to stop and examine any timber during transit, and to detain it, if it is in his opinion being removed contrary to the provisions of this Ordinance, and deal with it as provided in chapter VII.

Forest-officer, &c., may stop timber in transit.

49. Such forest-officer or other officer shall also have power to enter any private depôt or timber yard, and to inspect the timber therein lying, and to collect and remove all unstamped or unmarked unsawn logs as provided in chapter VI.

Forest-officer, &c., may enter private depôt.

50. In case of any accident or emergency involving danger to any property at any such station, every person employed at such station, whether by the Crown or by any private person, shall render assistance to any forest-officer, forest-ranger, or police officer demanding his aid, in averting such danger and securing such property from damage or loss.

All persons bound to aid in case of accident at station.

Forests and Waste Lands.

CHAPTER VI.

OF THE COLLECTION OF DRIFT, STRANDED, AND OTHER TIMBER.

Certain kinds of timber to be deemed property of Government until title thereto proved.

51. All timber found adrift, beached, stranded or sunk in or on the banks of any river.

All timber bearing marks which have not been registered under regulations made under section forty-four,

All timber which has been supermarked, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and

In such areas as the Governor directs, all unmarked or unstamped timber,

shall be deemed to be the property of the Crown unless and until any person establishes his right thereto, as provided in this chapter.

Power to collect the same.

Such timber may be collected by any forest-officer or any headman authorized by the Government Agent, and may be brought to such stations as a forest-officer empowered in this behalf may from time to time notify.

Governor may exempt timber from these provisions.

The Governor may, by notification in the *Gazette*, exempt any class of timber from the provisions of this section, and withdraw such exemption.

Notice to claimants of drift-timber.

52. Public notice shall from time to time, as occasion may require, be given by a forest-officer empowered in this behalf of timber collected under section fifty-one. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

Procedure on claim preferred to such timber.

53. When any such statement is presented as aforesaid, the forest-officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

If such timber is claimed by more than one person, the forest-officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the civil court and retain the timber pending the receipt of an order from such court for its disposal.

On rejection of claim to such timber, claimant may institute suit.

Any person whose claim has been rejected under this section may, within one month from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation against the Crown or against any forest-officer on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

No such timber shall be subject to process of any civil court until it has been delivered, or a suit brought under this section has been decided.

Disposal of unclaimed timber.

54. If no statement is presented in the manner and within the period prescribed by the notice issued under section fifty-two,

Forests and Waste Lands.

or, where such statement having been so presented and, the claim having been rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section fifty-three, the ownership of such timber shall vest in the Crown free from all incumbrances; or, when such timber has been delivered to another person under section fifty-three, in such other person, free from all incumbrances not created by him.

55. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the forest-officer, or other person entitled to receive it, such sum on account thereof as may be due for collecting, moving, storing and disposing of the same.

Payments to be made by claimant before timber is delivered to him.

56. The Governor, with the advice of the Executive Council, may make regulations respecting the following matters (namely):—

Power to make rules and prescribe penalties.

- (a) The collection and disposal of all timber mentioned in section fifty-one;
- (b) The amount to be paid for salving, collecting, moving, storing and disposing of such timber; and
- (c) The use and registration of branding irons and other instruments to be used for marking such timber.

The breach of any of the provisions of, or regulations made under this chapter, shall constitute an offence punishable by a fine not exceeding one hundred rupees or by imprisonment which may extend to six months.

CHAPTER VII.

PENALTIES AND PROCEDURE.

57. When there is reason to believe that a forest-offence has been committed in respect of any timber or forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any forest-officer, forest-ranger, or police-officer.

Seizure of property liable to confiscation.

Every officer seizing any property under this section shall place on such property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Report to magistrates.

Provided that when the timber or forest-produce with respect to which such offence is believed to have been committed is the property of the Crown, and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to the Government Agent or Assistant Government Agent.

58. Upon the receipt of any such report the magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Procedure thereupon.

Forests and Waste Lands.

Timber, forest-produce, tools, &c., when liable to confiscation.

59. When any person is convicted of a forest-offence, all timber or forest-produce in respect of which such offence has been committed, and all tools, boats, carts and cattle used in committing such offence, shall be liable, by order of the convicting magistrate, to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Disposal, on conclusion of trial for forest offence, of produce in respect of which it was committed.

60. When the trial of any forest offence is concluded, any timber or forest-produce in respect of which such offence has been committed shall, if it is the property of the Crown, or has been confiscated, be taken possession of by a forest-officer empowered in this behalf; and in any other case may be disposed of in such manner as the court may order.

Procedure when offender not known or cannot be found.

61. When the offender is not known or cannot be found, the magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a forest-officer specially empowered in this behalf, or to be made over to such forest-officer or other person as the magistrate considers entitled to the same:

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

The magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe is interested in the property seized, or shall publish such notice in any way which he thinks fit.

Procedure as to perishable property seized under section 57

62. The magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section fifty-seven and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Appeal from orders under sections 57, 59, 60, and 61.

63. Any person claiming to be interested in property seized under section fifty-seven may, within fifteen days from the date of any order passed under section fifty-nine, section sixty, or ~~section sixty-one~~, present an appeal therefrom to the Supreme Court, and such court shall deal with the case in the same way as if it were an appeal from a Police Court in its ordinary jurisdiction.

Property when vested in Government.

64. When an order for the confiscation of any property has been passed under section fifty-nine or ~~sixty-one~~, and the period limited by section sixty-three for presenting an appeal from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the appellate court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Crown free from all incumbrances.

Saving of power to release property seized.

65. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Government Agent from directing at any time the immediate release of any

Forests and Waste Lands.

property seized under section fifty-seven and the withdrawal of any charge made in respect of such property.

66. Any forest-officer, forest-ranger, or police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Ordinance, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

Punishment for wrongful seizure.

Any fine so imposed, or any portion thereof, shall, if the convicting magistrate so direct, be given as compensation to the person aggrieved by such seizure.

67. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Ceylon Penal Code—

Penalty for counterfeiting or defacing marks in trees and timber, and for altering boundary-marks.

- (a) knowingly counterfeits upon any timber or standing tree a mark used by forest-officers to indicate that such timber or tree is the property of the Crown or of some person, or that it may lawfully be cut or removed by some person, or
- (b) unlawfully affixes to any timber or standing tree a mark used by forest-officers, or
- (c) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a forest-officer, or
- (d) alters, moves, destroys or defaces any boundary-mark of any forest to which any provisions of this Ordinance apply,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

68. Any forest-officer, forest-ranger, or police-officer may, without orders from a magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

Power to arrest without warrant.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a magistrate having jurisdiction in the case, together with a statement showing the offence with which the accused is charged.

69. Every forest-officer, forest-ranger, and police-officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest-offence.

Power to prevent commission of offence.

70. Nothing in this Ordinance shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest-offence, or from being liable under such other law to any higher punishment or penalty than that provided by this Ordinance or the regulations or rules made hereunder :

Operation of other laws not barred.

Provided that no person shall be punished twice for the same offence.

Forests and Waste Lands.

Power to compound offences.

71. Any forest-officer empowered by the Government Agent in this behalf may accept from any person, reasonably suspected of having committed any forest-offence other than an offence under section sixty-six or section sixty-seven, a sum of money by way of compensation for the offence which may have been committed; and where any property has been seized as liable to confiscation, may release the same on payment of the value thereof as estimated by such officer.

On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the accused person, if in custody, shall be discharged, the property seized shall be released, and no further proceedings shall be taken against such person or property.

Presumption that timber or forest-produce belongs to Government.

72. When in any proceedings taken under this Ordinance, or in consequence of anything done under this Ordinance, a question arises as to whether any timber or forest-produce is the property of the Crown, such timber or produce shall be presumed to be the property of the Crown until the contrary is proved.

CHAPTER VIII.

CATTLE-TRESPASS.

Cattle-trespass Ordinance to apply.
Power to alter fines.

73. Cattle trespassing in a forest plantation may be seized and impounded by any forest-officer or police-officer.

74. The Governor may, by notification in the *Gazette*, direct that there shall be levied for each head of cattle impounded under section seventy-three of this Ordinance, such fines as he thinks fit but not exceeding the following (that is to say):

	Rs.	cts.
(a) For each elephant or buffalo	10	0
(b) For each calf, ass, pig, sheep, lamb, goat or kid	2	50
(c) For every head of cattle other than the above ..	5	0

Procedure if fine not paid.

75. If the amount of the fine be not paid within seven days from the time of impounding of any such head of cattle, together with the costs of its agistment, it shall be lawful for the forest-officer to sell such head of cattle by public auction, and after deducting from the proceeds of such sale the amount of the fine, the costs of the agistment, and of such sale, such forest-officer shall pay the surplus (if any) to the owner of the cattle.

CHAPTER IX.

OF FOREST-OFFICERS.

Appointment of Chief Conservator of Forests, &c.

76. It shall be lawful for the Governor from time to time to appoint a Chief Conservator of Forests, and such other officers as are required for the purposes of this Ordinance, and there shall be paid to such Chief Conservator and officers such salaries as the Governor with the advice and consent of the Legislative Council may from time to time determine.

Powers of Government Agent, &c.

Every Government Agent and Assistant Government Agent and every Conservator of Forests and every forest-officer authorized in writing under the hand of the Governor on that behalf

Forests and Waste Lands.

shall possess, for the purposes of this Ordinance, the following powers (that is to say):—

- (a) the powers of Commissioners appointed under the provisions of Ordinance No. 9 of 1872, to compel the attendance of witnesses and the production of documents; provided that the requirements of the proviso to section 2 of such Ordinance shall not be necessary for the purposes of this Ordinance.
- (b) power to issue search warrants under the Code of Criminal Procedure;
- (c) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;
- (d) power to notify seasons and manner in which fire may be kindled, kept or carried in a reserved forest;
- (e) power to grant any permission referred to in section twenty-eight, thirty-five, forty, or forty-four.
- (f) power to give public notice of timber collected under section fifty-one;
- (g) power to take possession of property under this Ordinance;
- (h) power to direct the release of property or withdrawal of charges;
- (i) power to accept compensation for forest-offences;

and the Governor may withdraw any powers so conferred by him.

Any evidence recorded under clause (c) of this section shall be admissible in any subsequent trial before a magistrate of the alleged offender: Provided that it has been taken in the presence of the accused person, and recorded in the manner provided by law.

77. All forest-officers shall be deemed to be public servants within the meaning of the Ceylon Penal Code.

78. No suit or criminal prosecution shall lie against any public servant for anything done in good faith or omitted by him in good faith under this Ordinance.

79. Except with the permission in writing of the Governor, no forest-officer shall, as principal or agent, trade in timber or forest-produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest.

CHAPTER X.

MISCELLANEOUS.

80. The Governor may make regulations consistent with this Ordinance—

- (a) to declare by what forest-officer or class of forest-officers the powers or duties conferred or imposed by or under this Ordinance on a forest-officer shall be exercised or performed;
- (b) to regulate the procedure of forest-settlement-officers;
- (c) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Ordinance or from the public treasury; and
- (d) generally to carry out the provisions of this Ordinance.

Forest-officers deemed public servants. Indemnity for acts done in good faith.

Forest-officers not to trade.

Additional powers to make rules.

Forests and Waste Lands.

Rules when to
have force of law.

81. All regulations or rules made or approved by the Governor, with the advice of the Executive Council, under this Ordinance shall be published in the *Gazette*, and shall thereupon have the force of law. *Amendment a High under §40 25 (16)*

Powers of Chief
Commissioner
exercisable from
time to time.
Persons bound to
assist forest-
officer and police-
officer.

All powers conferred by this Ordinance on the Governor may be exercised from time to time as occasion requires.

82. Every person who exercises any right in a reserved-forest or a village-forest, or who is permitted to take any forest-produce from, or to cut and remove timber, or to pasture cattle, or to practise chena cultivation in, such forest, and

every person who is employed by any such person in such forest, and every person in any village contiguous to such forest who is employed by the Crown, or who receives emoluments from the Crown for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest forest-officer or ~~forest-ranger~~ or police-officer any information he may possess respecting the occurrence of a fire in or near such forest, or the commission of, or intention to commit, any forest-offence; and shall assist any forest-officer, forest-ranger, or police-officer demanding his aid—

- (a) in extinguishing any fire occurring in such forest ;
- (b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest ;
- (c) in preventing the commission in such forest of any forest-offence ; and
- (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Recovery of
money due to
the Crown.

83. All money, other than fines, payable to the Crown under this Ordinance, or under any regulation or rule made hereunder, or on account of the price of any timber or forest-produce, or of expenses incurred in the execution of this Ordinance in respect of timber or forest-produce, shall, if not paid when due, become a debt due to the Crown and be recovered under the provisions contained in the 88th, 89th 90th 91st and 92nd sections of this Ordinance.

Lien on forest-
produce for such
money.

84. When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce ; and such produce may be taken possession of by a forest-officer empowered by the Government Agent in this behalf, and may be retained by him until such amount has been paid.

Power to sell
such produce.

If such amount is not paid when due, such forest-officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to the Crown.

Forests and Waste Lands.

85. The Crown shall not be responsible for any loss or damage which may occur in respect of any timber while at a station established under a regulation made under section forty-four, or while detained elsewhere for the purposes of this Ordinance, or in respect of any timber collected under section fifty-one; and no forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.

The Crown not liable for loss or damage in respect of certain timber.

86. Whenever any Government Agent shall decide that a certificate against the right of the Crown may properly be granted, it shall be lawful for him to require the occupant or claimant of the land, unless he shall produce to such Government Agent a title plan of such land duly authenticated by the Surveyor-General, to pay the cost of survey of such land and the fees for copy of title plan; and if the costs of such survey and the fees for copy of title plan be not forthwith paid to the Government Agent by such occupier or claimant, such costs and fees shall thereupon become a debt due to the Crown from such occupier or claimant, and shall be recovered under the provisions contained in the 88th, 89th, 90th, 91st, and 92nd sections of this Ordinance.

Owner to pay for survey and title plan.

1872

87. It shall be lawful for the Government Agent or Assistant Government Agent or forest-officer to sell by public auction any forest-produce or property seized under the provisions of this Ordinance, and, except where express provision for the application of the proceeds of sale has been made in this or any other Ordinance, the proceeds of such sale shall be paid into the Kachchéri and form part of the public revenue of the Colony.

Property seized may be sold.

88. It shall be lawful for the Government Agent to seize any property whatsoever belonging to the person by whom any debt is due to the Crown, under the provisions of sections 83 and 86 of this Ordinance, wheresoever the same may be found within the province of such Government Agent, and if the amount due in respect of such debt and the costs and charges of seizure be not sooner paid or tendered, to sell the property so seized by public auction at any time not less than ten or more than thirty days from the time of such seizure.

Property of Crown debtors under §§ 83 and 86 may be sold.

89. In the event of a sale of property seized, the Government Agent at whose instance such seizure was made shall, after deducting the amount due by the debtor and also the costs and charges attending the seizure and sale (which said costs and charges such Government Agent is hereby authorized to retain), restore the overplus arising from such sale, if any there be, to the owner of the property sold.

Overplus to be restored to owner.

90. If land or other immoveable property be sold under the provisions of this Ordinance, a certificate substantially in the form given in schedule C. hereto annexed signed by the Government Agent shall vest such property absolutely in the purchaser free from all encumbrances. Such certificate shall be liable to the stamp duty for the time being fixed on conveyances of immoveable property and to registration fees, such duty and charges being payable by the purchaser.

Certificate of sale of immoveable property.

91. If the land so sold be purchased by the Government Agent, who is hereby authorized to bid for and purchase the same on behalf of the Crown, a certificate substantially in the form

Certificate of sale in case of purchase by Crown.

Forests and Waste Lands.

given in schedule D. hereto annexed, signed by the Government Agent, shall vest the property absolutely in the Crown free from all incumbrances. Provided that such certificate shall not be liable to stamp duty nor other fees.

Crown may take credit for amount due from defaulter.

92. Whenever the Crown purchases any land under the provisions of the last preceding section, the Crown shall not be required to pay the whole of the purchase money of such land, but shall be entitled to take credit for the amount due from the defaulter under this Ordinance. Provided that in the event of the land sold realizing a less sum than the amount due, nothing herein contained shall preclude the Crown from instituting any civil action or process against the defaulter for the recovery of the balance due by him after deducting the purchase money realized by the sale of the land.

Regulations and rules to be laid before Legislative Council.

93. All regulations and rules under this Ordinance made and approved by the Governor, with the advice of the Executive Council, shall be laid before the Legislative Council within one month of the commencement of the session next after the making of such regulations or approval of such rules, and shall cease to have any force or effect, if disapproved by the Council within two months of being so laid on the table.

SCHEDULE A. (*Vide* § 35.)

<i>Sinhalese Name.</i>	<i>Tamil Name.</i>	<i>Botanical Name.</i>
Buruta (Satinwood)	... Mutirai	... Chloroxylon Swietenia, <i>D.C.</i>
Halmilla	... Savandalai	... Berrya Ammonilla, <i>Roxb.</i>
Kaluwara (Ebony)	... Karuḱkālī	... Diospyros Ebenum, <i>Koen.</i>
Kalunḱeririya (Calamander)	Pū-karuḱkālī	... Diospyros quæsitā, <i>Thw.</i> , and ... <i>D. oppositifolia</i> , <i>Thw.</i>
Kīna (of the hill-country)	None	... Calophyllum Walkeri, <i>Wight.</i>
.. (of the low-country)	Tommakoddai	... <i>C. tomentosum</i> , <i>Wight.</i>
Lunumidella	... Malai-vēmpu or Pātiri	... Melia dubia, <i>Car.</i>
Meḱḱōra	... None	... Vatica Roxburghiana, <i>Bl.</i>
Mīla	... Kāddā-manāḱku, or Mililla	... Vitex altissima, <i>L. f.</i>
Neḱḱun	... None	... Pericopsis Mooniana, <i>Thw.</i>
Palu	... Pālai	... Mimosa hexandra, <i>Roxb.</i>
Tāla	... Kau-lspanna	... Corypha Umbraulifera.
Tammāna	... Tammāna	... Mischodon zeylanicus, <i>Thw.</i>
Tēkka (Teak)	... Tēkku	... Tectona grandis, <i>L.</i>
Wal-sapu or Wal-buruta	... None	... Michelia nilagirica, <i>Zenk.</i>
Yāvarāna or Wāvarāna	... Rānai	... Persea semecarpifolia, <i>Nees.</i>

SCHEDULE B. (*Vide* § 39.)

<i>Sinhalese Name.</i>	<i>Tamil Name.</i>	<i>Botanical Name.</i>
Araḱu	... Kadukkāi	... Terminalia chebula, <i>Retz.</i>
Bakmi	... Vammi	... Sarcocephalus cordatus, <i>Miq.</i>
Bōmbu	... Elumpurukki	... Symplocos spicata, <i>Roxb.</i>
Bo-mī	...	... Litsæa Roxburghii, <i>N. ab E.</i>
Buruta or Malburuta	... Mutirai or Pūmutirai or Tēmal-mutirai	... Chloroxylon Swietenia, <i>D.C.</i>
Dawaḱa	...	... Carallia integerrima, <i>D.C.</i>
Del	... A'sanippilā or Angili maram	... Artocarpus nobilis, <i>Thw.</i>
Doḱankaha	... Manchavarḱā	... Memecylon capitellatum, <i>Z.</i>
Domba or Baḱa Domba	... Punna or Iosmakoddai	... Calophyllum Inophyllum, <i>L.</i>

Forests and Waste Lands.

Sinhalese Name.	Tamil Name.	Botanical Name.
Dúna (of moist districts)	—	... Doona zeylanica, <i>Thw.</i>
Dúna (of dry districts)	... Tumpálai	... Vatica, sp.
Èlèja	... Tirukkondal or Tirukkondai or Kovani	... Cassia Fistula, <i>L.</i>
Ètheraliya or Palay	... Kondai or Sarakondai	... Kurrinia zeylanica <i>Arn.</i>
Galmora (of low-country)	Morai or Káddumorai or Nurai	Cryptocarya Wightiana, <i>Thw.*</i>
Galsiyambalá	... Káddupuñi	... Dialium ovoideum, <i>Thw.</i>
Godakaduru	... Káñchúrai or Vedði	... Strychnos Nux-vomica.
Godapara	... Pásu or Punalai	... Dillenia retusa, <i>Thunb.</i>
Hal	... Sal	... Vateria acuminata, <i>Heyne.</i>
Halmilla or Halmilila†	... Savandalai Káddamanakku or Tirikkunámalai	... Berrya Ammonilla, <i>Thunb.</i>
Heḍawaka	... Palakuna or Sadaivékku	... Chætocarpus castanocarpus, <i>Thw.</i>
Homḍeririya	... Veñjai Karuñkáli	... Diospyros Thwaitesii, <i>Bedd.</i>
Hora	... Suraimaram	... Dipterocarpus zeylanicus, <i>Thw.</i>
Hulanhiḱ	... Aglai or Kulodi	... Chikrassia tabularis, <i>Juss.</i>
Kaḍubbériya	... Wekkandai	... Diospyros Gardneri, <i>Thw.</i>
Kalumḍeririya	... Púkaruñkáli	{ Diospyros qucesita, <i>Thw.</i> , and D. oppositifolia, <i>Thw.</i>
Kaluwara	... Kúruñkali or 'Tay	... Diospyros Ebenum, <i>Koen.</i>
Karawu	...	... Phyllanthus indica, <i>Dalz.</i>
Keḱakála	... Perunkasaddai or Muññuvénkai	Briedelia retusa, <i>Spr.</i>
Kirikúñ†	... Né Koddai or Walsurai	... Walsura piscidia, <i>Roxb.</i>
Kiriñḱumbiliya	...	... Dichopsis grandis, <i>Benth.</i>
Kúna (of low-country)	... Tommakkodai	... Calophyllum tomentosum, <i>Wight.</i>
„ (of hill-country)	... None	... C. Walkeri, <i>Wight.</i>
Kohomba or Margosa	... Vémpu	... Azadirachta indica, <i>A. Juss.</i>
Kóḱ	... Kuñjá or Puvá	... Schleichera trijuga, <i>Willd.</i>
Kos	... Pilá	... Artocarpus integrifolia, <i>L.</i>
Kumbuk	... Marutu	... Terminalia glabra, <i>W. et A.</i>
Liyaḱ	...	... Homalium zeylanicum, <i>Benth.</i>
Lugumidella or Dunu-maḍala	... Malaivémpu or Pátiri	... Melia dubia, <i>Cav.</i>
Mádaḱ	... Perunával or Nával	... Eugenia Jambolana, <i>Lam.</i>
Márá	... Uyíl or Kona or Mancháli	... Albizzia Lebbek, <i>Benth.</i>
Meñḍóra	...	... Vatica Roxburghiana, <i>Wight.</i>
Milila or Milla	... Malaíámanakku or Vinilai	... Vitex altissima, <i>L. f.</i>
Mi	... Iluppai	... Bassia longifolia, <i>L.</i>
Mora	... Nurai or Murali or Puvutti	... Nephelium Longana, <i>Camb.</i>
Múnamal	... Machála	... Mimusops Elengi, <i>L.</i>
Muruta	... Kadalipuva	... Lagerstræmia Regium, <i>Roxb.</i>
Ná	... Náka or Irul	... Mesua ferrea, <i>L.</i>
Nḱdun	...	... Pericopsis Mooniana, <i>Thw.</i>
Nḱmada or Nabada	... Maimaram or Minachchi	... Vitex Lencoxylon, <i>L. f.</i>
Palu	... Pálai	... Mimusops hexandra, <i>Roxb.</i>
Pamburu	... Kuruntu	... Limonia Missionis, <i>Wall.</i>
Panḱikasa or Deduwa	... Pandikáyán	... Engenia bracteata, <i>Roxb.</i>
Ruk	...	... Myristica Horsefielda, <i>Bl.</i>
Sapu	... Senpakam, Makila or Vakulu or Kanankay	... Michelia Champaca, <i>L.</i>
Siyambalá	... Puñi	... Tamarindus indica, <i>L.</i>
Súriya	... Púvarasu	... Thespesia populnea, <i>Corr.</i>
Súriyamará	... Vákai	... Albizzia odoratissima, <i>Benth.</i>
Tal (Palmyra)	... Papai	... Borassus flabeliformis, <i>L.</i>
Tala	... Kandapañna	... Corypha Umbraculifera.
Tammaña	... Tammaña	... Mischodon zeylanicus.
Tékka	... Tékku	... Tectona grandis, <i>L. f.</i>

* Two other trees are called "Galmora" in the Kandyan and hill districts respectively.

Forests and Waste Lands.

<i>Sinhalese Name.</i>	<i>Tamil Name.</i>	<i>Botanical Name.</i>
Timbiri	... Panichechai	... Diospyros Embryopteris, <i>Perr</i>
Ibbériya	...	... Corallia calycina, <i>Thw</i>
Vadukunari or Kunamiella	Vedukkunári	... Diospyros ovalifolia, <i>Wight</i> .
Walamba	... Má	... Mangifera zeylanica, <i>Hk. f.</i>
Walukina	...	... Calophyllum spec. abile, <i>Wight</i> .
Wanamí	... Malai Illuppai or Káddiluppai	Bassia fulva, <i>Bedd.</i>
Wáwaraṇa	... Bánai	... Persea semecarpifolia, <i>N. ab E.</i>
Wá	... Yevákai or Vákai	... Cassia siamea, <i>Lam.</i>
Welikaha	... Manchavarná	... Memecylon capitellatum, <i>L.</i>
Welanga	... Vinnanku or Taddi	... Pterospermum suberifolium, <i>Lum.</i>

SCHEDULE C. (*Vide* § 90)

WHEREAS the sum of Rs. ——— was due to the Crown under the provisions of the ——— section of Ordinance No. ——— of 1885 from ——— of ———, which said sum has not been paid by the said ———; And whereas the land ——— being the property of the said ——— was seized in conformity with the said Ordinance and sold also in conformity therewith on the ——— day of ———, and the same was purchased by ——— of ——— for the sum of Rs. ———, which has been duly paid by the said ———: Now know ye that I, ———, Government Agent, by virtue and in exercise of the power vested in me in this behalf by the said Ordinance, do hereby certify that the following property, to wit, [here describe the property with special accuracy as to boundaries] has been sold to and purchased by the said ——— for the sum of Rs. ——— which he has duly paid, and that the said premises are and shall henceforward be vested in the said ———, his heirs, executors, administrators, and assigns, free of all incumbrances.

Given under my hand this ——— day of ———.

(Signature) _____

Government Agent.

SCHEDULE D. (*Vide* § 91.)

WHEREAS the sum of Rs. ——— was due to the Crown under the provisions of Ordinance No. ——— of 1885 from ——— of ———, which said sum has not been paid by the said ———; And whereas the land ——— being the property of the said ——— was seized in conformity with the said Ordinance and sold also in conformity therewith on the ——— day of ———, and the same was purchased by ———, Government Agent, for and on behalf of our Sovereign Lady the Queen, for the sum of Rs. ———, which has been credited to our said Lady the Queen in part satisfaction (or full as the case may be) of the sum of Rs. ——— due to our said Lady the Queen: Now know ye that I, ———, Government Agent, by virtue and in exercise of the power vested in me in this behalf by the said Ordinance, do hereby certify that the following property, to wit, [here describe the property with special accuracy as to boundaries] has been sold to and purchased by the said ———, Government Agent, for and on behalf of our said Lady the Queen, for the sum of Rs. ———, which said sum has been duly credited to our said Lady the Queen as aforesaid, and that the said premises are and shall henceforward be vested in our said Lady the Queen, her heirs and successors, free of all incumbrances.

Given under my hand this ——— day of ———.

(Signature) _____

Government Agent.

Passed in Council the Twenty-first day of February, One thousand Eight hundred and Eighty-five.

R. H. SINCLAIR,
Acting Clerk to the Council.

Assented to by His Excellency the Governor, the Twenty-first day of February, One thousand Eight hundred and Eighty-five.

JOHN F. DICKSON,
Acting Colonial Secretary.