

citizens of the county, and shall pay all cost incurred therein.

Provided, such former settler's improvement be not within the limits of an acknowledged town or vilage.

Sec. 3. Be it further enacted, That an improvement in condition to the owner thereof, an annual income in money or property of any kind shall constitute a claim.

Provided, however, such income be not realized exclusively from the sale of timber or other material "appurtenances" on such claim, and no citizen or citizens of this Nation shall have the right to cut or otherwise destroy the timber within the limits of any other citizen's improvement, as prescribed in first section of this act, without such other citizen's consent, under a penalty of a fine of double the value of such timber so cut or destroyed, to be paid to the owner of such claim, to be recovered before the court of the county having jurisdiction thereof, together with the cost of recovering.

Sec. 4. Be it further enacted, That all