

form, including the dwelling house and its appurtenances, the amount specified in the first section of this act, and the expenses of said survey shall be chargeable on the execution and collected thereupon, if it shall appear after such survey that the owner of said land did not correctly [153] state his metes and bounds; otherwise the expenses of survey shall be borne by the person directing the same.

**SEC. 5. Officer to sell balance of said real estate.** After the survey shall have been made, the officer making the levy may sell the property levied upon, and not included in the set off, in the same manner as provided in other cases for the sale of real estate on execution; and in giving a deed of the same, he may describe it according to his original levy, excepting therefrom by metes and bounds according to the certificates of survey, the quantity set off as aforesaid.

**SEC. 6. Persons owning house on land not his own such house exempt from sale.** Any person own[ing] and occupying any dwelling house on land not his own, which land he shall be rightfully in possession of, by lease or otherwise, and claiming such house as his homestead, shall be entitled to the exemption of such house.

**SEC. 7. Not exempt lands from sale for taxes.** Nothing in this act shall be considered as exempting any real estate from taxation or sale for taxes.

Approved Jan. 15, 1849.

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## CHAPTER 125.

### APPORTIONMENT.

AN ACT to re-apportion the state and define the boundaries of senatorial and representative districts therein.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION. 1. Lee.** That the county of Lee shall have two (2) senators and five (5) representatives.

**SEC. 2. Van Buren.** That the county of Van Buren shall have two (2) senators and three (3) representatives.

**SEC. 3. Davis, etc.** That the counties of Davis, Appanoose and Wayne shall have one (1) senator and two representatives.

**SEC. 4. Wapello, etc.** That the counties of Wapello, Monroe and Lucas shall have one (1) senator and the county of Wapello two (2) representatives and the counties of Monroe and Lucas one (1) representative jointly.

**SEC. 5. Marion, etc.** That the counties of Marion, Polk, Dallas, Jasper, Marshall, Story, Boone, Warren and Madison shall have one (1) senator and two (2) representatives jointly.

**SEC. 6. Des Moines.** That the county of Des Moines shall have two (2) senators and three (3) representatives.

[154] **SEC. 7. Henry.** That the county of Henry shall have one (1) senator and two (2) representatives.

**SEC. 8. Jefferson.** That the county of Jefferson shall have one (1) senator and three (3) representatives.

SEC. 9. **Louisa, etc.** That the counties of Louisa and Washington shall have one (1) senator jointly, and one (1) representative each.

SEC. 10. **Mahaska, etc.** That the counties of Mahaska, Keokuk and Poweshiek shall have one (1) senator and two representatives.

SEC. 11. **Muscatine, etc.** That the counties of Muscatine, Johnson and Iowa shall have one senator and the county of Muscatine one representative and the counties of Johnson and Iowa one representative jointly.

SEC. 12. **Scott, etc.** That the counties of Scott and Clinton shall have one senator jointly, and one representative each.

SEC. 13. **Cedar, etc.** That the counties of Cedar, Linn, Benton and Tama shall have one senator jointly, and the county of Cedar shall have one representative and the counties of Linn, Benton and Tama one representative jointly.

SEC. 14. **Jackson, etc.** That the counties of Jackson and Jones shall have one senator and two representatives jointly.

SEC. 15. **Dubuque, etc.** That the counties of Dubuque, Clayton, Delaware, Buchanan, Blackhawk, Winnesheik and Allemakee shall have two senators and the counties of Dubuque, Delaware, Buchanan and Blackhawk shall have three representatives jointly, and the counties of Clayton, Fayette, Winnesheik and Allemakee shall have one representative jointly.

SEC. 16. **Attached counties.** Any country attached to any county for judicial purposes shall be considered as forming part of such county for election purposes unless otherwise provided for by this act.

SEC. 17. **Take effect.** This act to take effect and be in force from and after its publication according to law.

Approved Jan. 15, 1849.

## CHAPTER 126.

### TOLL BRIDGE.

AN ACT to authorize R. R. Jenks to erect a toll bridge across the Wabesipenicon river.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. **Jenks and others authorized to erect a toll bridge—proviso.** That R. R. Jenks, his heirs and assigns, be and they are hereby authorized [155] ized to erect a toll bridge across the Wabesipenicon river at a point where the road from Camanche, in Clinton county, to Tipton, in Cedar county crosses said river, with the exclusive privilege of bridging said river two miles above and below said road, for the term of twenty years from and after the taking effect of this act; *provided*, said bridge is completed in two years and kept in repair thereafter.

SEC. 2. **Rates of toll—persons exempt from toll.** That the rate of toll to be exacted shall be as follows, for each horse and rider ten cents, for each two wheeled vehicle twenty cents, for all four wheeled vehicles twenty-five cents, for foot passengers five cents, toll on hogs or sheep, two cents each, on horses, mules and neat cattle four cents each; *provided*, that nothing in this act shall authorize the said Jenks, his heirs or assigns to exact toll from any person who has subscribed and paid, or shall hereafter pay upon any