

all the rights and privileges of graduates of other institutions of a similar character.

SEC. 3. This act to be in force from and after its publication in the Keokuk Daily Evening Times, and daily Gate City, which shall be done without expense to the State.

Approved January 23d, 1857.

I certify the foregoing was published in the Daily Evening Times, and Gate City, Feb. 10, 1857.

ELIJAH SELLS,
Sec'y of State.

CHAPTER 86.

QUO-WARRANTO AND MANDAMUS.

AN ACT authorizing private persons to sue out writs of quowarranto and mandamus.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever any citizen of this State shall claim any public office which is usurped, invaded into, or unlawfully held and exercised by another, the person so claiming such office shall have the right to file in the district court an information in the nature of a quo-warranto upon his own relation, and with or without the consent of the prosecuting attorney of the county where such writ is issued out, and such person shall have the right to prosecute said information to final judgment in all other respects as provided in chapter 123 of the code: *Provided,* he shall first have applied to the prosecuting attorney of the proper county to file the information, and the prosecuting attorney shall have refused or neglected to file the same. ^{Filing information.}

SEC. 2. Any private person may, on his own relation, sue out writs of mandamus without application to the prosecuting attorney. ^{Any person may sue.}

SEC. 3. Persons suing out either of said writs under the provisions of this act, shall be liable to costs as in civil cases. ^{Liability for costs.}

Approved January 23, 1857.