

U S Vs. Alire

U S Vs. Alire

SooperKanoon Citation : sooperkanoon.com/81560

Court : US Supreme Court

Decided On : 1867

Appeal No. : 73 U.S. 577

Appellant : U S

Respondent : Alire

Judgement :

U S v. ALIRE - 73 U.S. 577 (1867)

U.S. Supreme Court U S v. ALIRE, 73 U.S. 577 (1867)

73 U.S. 577 (Wall.)

UNITED STATES

v.

ALIRE.

December Term, 1867

A motion was subsequently made on the part of the United States to reinstate on the docket this cause, dismissed as above stated at this term (on the ground that it did not appear that the amount in controversy exceeded \$3000), and to remand it to the Court of Claims with a view to an amended or special appeal under the fifth section of the act of March 3d, 1863,* which provides 'that when the judgment

or decree will affect a class of cases or furnish a precedent for the future action of any executive department of the government in the adjustment of such class of cases, . . . and such facts shall be certified to by the presiding justice of the Court of Claims, the Supreme Court shall entertain an appeal on behalf of the United States, without regard to the amount in controversy.'

Mr. Justice NELSON delivered the opinion of the court.

The case involves the right of the claimant to a military bounty land warrant under the acts of Congress passed March 3d, 1855, and May 14th, 1856, which claim had been rejected by the commissioner of pensions, and the rejection confirmed by the Secretary of the Interior. The case would seem to fall within the provision providing for a special appeal on behalf of the government. We see no valid objection to the motion, and therefore direct the cause to be reinstated on the docket, and the record remanded back to the Court of Claims for such further proceedings as may seem fit and proper in the cause as it respects the appeal prayed for.

REMANDED ACCORDINGLY.

Footnotes

[[Footnote *](#)] 12 Stat. at Large, 765-6.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com