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either, and no mandamus or other remedy lies against any officer of the Treasury Department, in a case situated like this, where no appropriation to pay it has been made. The existence of this other and ordinary mode of redress, by resort to Congress, may be another reason against a mandamus, as that lies only *when no other adequate remedy exists. *Marbury v. Madison*, 1 Cranch, 62-137; *Kendall v. United States*, 12 Pet., 525. [*292]

But, independent of this last consideration, which as a remedy may not come within the usual meaning of another remedy, the grounds for the petition are not sufficient, and the judgment below, dismissing it, must be affirmed.

ORDER.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia, holden in and for the county of Washington, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

EX PARTE: IN THE MATTER OF EARLY BOYD, PLAINTIFF
IN ERROR, v. WILLIAM SCOTT AND WILLIAM GREENE.—
*In Error to the District Court of the United States for the
Northern District of Alabama.*

A motion on the part of the defendants in error, for a rule upon the plaintiff in error to file a copy of the record, overruled.

MR. CRITTENDEN, of counsel for the defendants in error, having filed the following certificate, viz. :—

“*The United States of America, Northern District of Alabama.*”

“In the District Court of the United States for the Northern District of Alabama, at Huntsville.”

“I, Benjamin T. Moore, Clerk of the District Court of the United States for the Northern District of Alabama, at Huntsville, do hereby certify, that at the term of the District Court aforesaid, begun and held at the court-house in the

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town of Huntsville, in said district, on the fourth Monday in November, A. D., 1850, in a certain cause therein pending in said court, wherein Early Boyd was plaintiff, and William Scott and William Greene were defendants, judgment was rendered therein in favor of said defendants against said plaintiff, for the costs of suit, amounting to the sum of dollars, and that from the said judgment the said Early Boyd, on the 29th day of November, A. D., 1850, prayed and obtained a writ of error to the then next term of the Supreme *293] Court of the *United States, and on the day last aforesaid entered into bond in the penalty of one thousand dollars with Silas Parsons his security, payable to the said William Scott and William Greene, conditioned that, if the said Early Boyd should prosecute the said writ of error to effect, and should also pay and satisfy the judgment which shall be rendered in said cause by the Supreme Court of the United States, then the said obligation should be void, else remain in full force and virtue.

“In testimony whereof, I hereto subscribe my name and affix the seal of the said District Court, at office, in the town of Huntsville, in the District aforesaid, this the 24th day of January, A. D., 1851, and of the independence of the United States of America the seventy-fifth.

“B. T. MOORE, *Clerk.*”

moved the court for a rule on the plaintiff in error, to file the record on or before the day of , and that on failure the case be dismissed. On consideration whereof, it is now here ordered by the court, that the said motion be, and the same is hereby, overruled.

Per Mr. CHIEF JUSTICE TANEY.

THE STATE OF FLORIDA, COMPLAINANT, v. THE STATE OF GEORGIA.

Bill in Chancery.

A bill by the State of Florida against the State of Georgia ordered to be filed, and process of subpoena directed to be issued against the State of Georgia.¹

MESSRS. JOHNSON and WESTCOTT, solicitors for the complainant, moved the court for leave to file the bill of complaint

¹ Further decision, 17 How., 478.