

TAYLOR V. WOODS ET AL.

 $[3 \text{ Woods}, 146.]^{1}$

Circuit Court, D. Louisiana.

April Term, 1878.

APPEAL-ADMIRALTY-COSTS.

The allowance or non-allowance of costs in an admiralty cause being a matter within the discretion of the court, is not a subject of appeal.

[Appeal from the district court of the United States for the district of Louisiana.

[This was a libel by Jordan Taylor against B. D. Woods and others.] Heard on motion to dismiss the appeal.

R. De Gray, for libelant.

Charles S. Rice, for claimant.

BRADLEY, Circuit Justice. As no decree could have been rendered for the libelant by the court below, except for costs; and as the allowance or non-allowance of costs is [815] in the discretion of the court, and not a subject of appeal, the appeal must be dismissed, but without costs to either party.

¹ [Reported by Hon. William B. Woods. Circuit Judge, and here reprinted by permission.]

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