

Case No. 3,579. DARRELL V. THE ALICE GRAY.
[N. Y. Times, April 19, 1865.]

District Court, S. D. New York.

ADMIRALTY PLEADING—AMENDMENT OF LIBEL—RIGHTS OF SURETIES.

[The obligations of the sureties of a vessel are not increased by amending the libel against her by increasing the amount claimed.]

[Libel by William E. Darrell and others against the brig Alice Gray.]

BETTS, District Judge. This case came up for a motion to amend the libel by statements increasing the amounts claimed in the, action, which was brought to recover damages for alleged breach of a charter party. The claimant objected to the amendments, urging that their effect might be to expose the sureties for the vessel to a greater responsibility than they originally assumed.

HELD BY THE COURT: That such increase is only conjectural as yet. The general rule is that the precise limitations of the obligations of suretyship are not disturbed by collateral arrangements, voluntary or involuntary, between the principals without the assent of the sureties. Motion granted.