

Case No. 905. BANK OF THE STATE OF SOUTH CAROLINA V. BICKNALL ET AL.
[43 Hunt, Mer. Mag. 586.]

Circuit Court, D. Rhode Island.

June Term, 1858.

EQUIT—BILL TO COMPEL DELIVERY OF COTTON.

This was a suit in equity brought to compel the defendants [Bicknall and Skinner] to deliver up a quantity of cotton shipped to them for sale by Michael Lazarus, of Charleston, under whom the bank claimed, the complainants offering to deliver up to the defendants the bills accepted by them which had been drawn against the shipment. The bill sustained as to a portion of the specific cotton admitted to have been in the hands of the defendants at the date of the commencement of the suit; and decree for the plaintiffs accordingly.

[NOTE. The facts of this case were similar to those in Bank of South Carolina v. Bicknell, Case No. 898, except that the bill in that case was brought to recover upon a policy of insurance upon certain cotton lost by perils of the sea, while in this case the bill is brought to recover possession of the cotton itself. Nowhere more fully reported; opinion not now accessible.]