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**Case No. 2,147a.**

BURDOIN v. The HARRIET SMITH.

[Betts' Scr. Bk. 25.]

District Court, S. D. New York.

May, 1852.

CARRIERS—DELIVERY TO VESSEL.

[Giving goods to the mate of a vessel for transportation, and taking his signed receipt

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therefor, is a good delivery to, and binds, the vessel.]

[In admiralty. Libel by George R. J. Burdoin against the schooner Harriet Smith for failure to deliver a shipment of cigars. Decree for libelant]

This was an action to recover the value of cigars shipped at Havana and delivered in this port. Held, that a delivery of the cigars to the first mate of the schooner, and the signature by him of a receipt of the same, was a good delivery, and bound the vessel. Decree for value of cigars at this port in March 31st, 1852, with interest from that date at six per cent, and costs, less the freight due payable on the same.

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