

## § 386. Delay in transportation or delivery as constituting conversion of shi...

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### 13 Am. Jur. 2d Carriers § 386

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#### Carriers

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#### Part Two. Carriage of Property

#### XII. Duties and Liabilities Incident to Transportation

#### D. Transportation within Reasonable Time; Effect of Delay

#### 1. In General

## § 386. Delay in transportation or delivery as constituting conversion of shipment

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### West's Key Number Digest

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A carrier's delay in transporting and delivering of goods generally does not constitute a conversion of the property. <sup>1</sup> A consignee may not be permitted to refuse to accept the goods and recover their full value as for a conversion but may be compelled to receive them unless the delay has destroyed the value of the goods entirely or caused what is equivalent to a total loss. <sup>2</sup>

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### Footnotes

<sup>1</sup> [Eastern Shore of Virginia Produce Exchange v. New York Cent. R. Co.](#), 97 F.2d 565 (C.C.A. 4th Cir. 1938).

As to acts constituting conversion, generally, see [Am. Jur. 2d, Conversion](#) §§ 20 to 50.

<sup>2</sup> [Chicago, R.I. & P. Ry. Co. v. Albert Pfeifer & Bro.](#), 90 Ark. 524, 119 S.W. 642 (1909); [Hutchison Grocery Co. v. Louisville & N.R. Co.](#), 230 Ill. App. 291, 1923 WL 3310 (4th Dist. 1923); [St. Louis & S. F. Ry. Co. v. Dreyfus](#), 1913 OK 344, 37 Okla. 492, 132 P. 491 (1913).

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