

poses and to the effects therein stipulated or provided, notwithstanding that the fact may be otherwise, and that such agent or officer may have had no authority to issue any such instrument on behalf of his said principal, except for goods, chattels or commodities actually received and in possession at the time of such issue.

1876, ch. 262, sec. 3.

3. Every acceptance of an order and every other voucher whatsoever, for any goods, chattels or commodities as on storage or deposit, whereby the custody or possession of such goods, chattels or commodities shall be acknowledged or certified by any warehouseman, wharfinger or other person or corporation within this State, and which acceptance or voucher shall not on its face provide or stipulate in terms that it shall not be negotiable, shall be held and taken when issued to be a negotiable receipt and instrument to all intents and effects within the meaning and operation of this article.

Ibid. sec. 4.

4. Any instrument declared negotiable by this article shall be held and taken to have been issued within the meaning of this article when it shall have been signed and shall have been delivered out of the custody of the person or corporation to be charged or bound by the same, or of his or its agent or officer aforesaid.

Ibid. sec. 5.

5. No person or corporation, or agent or officer of any person or corporation in this State, shall issue any bill of lading, receipt, acknowledgment or voucher whatsoever, for goods, chattels or commodities of any kind to be transported on land or water, or on both, or any receipt, acceptance of an order or other voucher for goods, chattels or commodities, as on storage or deposit in this State, until and unless the whole of the said goods, chattels and commodities shall have been actually received to be transported by such person or corporation in the one case, or shall be actually in the possession or custody, or upon the premises, or under the absolute and exclusive control of such person or corporation in the other case at the time when such instrument shall be issued ;