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DIVISION 3. OBLIGATIONS [1427 - 3273.69] (*Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.*)

PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273.69] (*Part 4 enacted 1872.*)

TITLE 9. AGENCY [2295 - 2400] (*Title 9 enacted 1872.*)

CHAPTER 1. Agency in General [2295 - 2357] (*Chapter 1 enacted 1872.*)

ARTICLE 1. Definition of Agency [2295 - 2300] (*Article 1 enacted 1872.*)

[2295.](#) An agent is one who represents another, called the principal, in dealings with third persons. Such representation is called agency.

(Enacted 1872.)

[2296.](#) Any person having capacity to contract may appoint an agent, and any person may be an agent.

(Enacted 1872.)

[2297.](#) An agent for a particular act or transaction is called a special agent. All others are general agents.

(Enacted 1872.)

[2298.](#) An agency is either actual or ostensible.

(Enacted 1872.)

[2299.](#) An agency is actual when the agent is really employed by the principal.

(Enacted 1872.)

[2300.](#) An agency is ostensible when the principal intentionally, or by want of ordinary care, causes a third person to believe another to be his agent who is not really employed by him.

(Enacted 1872.)