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CIVIL CODE - CIV

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 4. Obligations of Agents to Third Persons [2342 - 2345] (*Article 4 enacted 1872.*)

[2342.](#) One who assumes to act as an agent thereby warrants, to all who deal with him in that capacity, that he has the authority which he assumes.

(Enacted 1872.)

[2343.](#) One who assumes to act as an agent is responsible to third persons as a principal for his acts in the course of his agency, in any of the following cases, and in no others:

1. When, with his consent, credit is given to him personally in a transaction;
2. When he enters into a written contract in the name of his principal, without believing, in good faith, that he has authority to do so; or,
3. When his acts are wrongful in their nature.

(Enacted 1872.)

[2344.](#) If an agent receives anything for the benefit of his principal, to the possession of which another person is entitled, he must, on demand, surrender it to such person, or so much of it as he has under his control at the time of demand, on being indemnified for any advance which he has made to his principal, in good faith, on account of the same; and is responsible therefor, if, after notice from the owner, he delivers it to his principal.

(Enacted 1872.)

[2345.](#) The provisions of this Article are subject to the provisions of Part I, Division First, of this Code.

(Enacted 1872.)