

868. — The remuneration of the agent shall be fixed by agreement. In the absence of any agreement, it shall be governed by custom.

869. — In the absence of any agreement or custom as to the time of payment, remuneration is payable only after the determination or extinction of the agency.

870. — The agent is not entitled to remuneration in respect of that part of his agency which he has misconducted.

871. — The agent can withhold, out of any sum received by him on account of the principal in the execution of the agency, all monies due to himself for advances, expenses or remuneration.

872. — If any of the monies due to the agent are not paid, the agent can exercise over any property of the principal in his possession by reason of the agency the rights described in Sections 673, 674 and 675 concerning deposit.

CHAPTER IV.

LIABILITY OF PRINCIPAL AND AGENT TO THIRD PERSONS.

873. — The principal is bound to third persons by the acts which the agent has made within the scope of his authority and in the name of the principal.

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873.—The principal is bound to third persons by the acts which the agent has made within the scope of his authority and in the name of the principal.

A limitation of authority which is not customary or is not inherent in the nature of the matters entrusted cannot be set up against third persons who had no knowledge of it.

ILLUSTRATION. — *A, a general outfitter in Bangkok, has appointed B as his agent, manager of a branch in Chiengmai. But B's authority is limited ; B has no power to sign receipts. This limitation is not customary. If B signs a receipt to C who has no knowledge of such limitation, such receipt shall stand good and C can set it up against A's claim.*

874. — A person who expressly or impliedly represents another person as his agent or knowingly allows another person to be represented as his agent, is liable to third persons in good faith in the same way as if such person was his agent.

875. — A principal who represents his agent or knowingly allows his agent to be represented as having a wider authority than he actually has is liable to third persons in good faith in the same way as if the agent had such wider authority.

876. — If a person does an act without authority or beyond the scope of his authority such act does not bind the principal unless he expressly or impliedly ratifies it.

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