

STATE OF KANSAS,

*Redburn* County.

ss.

Be it Remembered, That on this *15th* day of *August* A. D. 187*4*, before me, the undersigned, a *Probate Judge* in and for the County and State aforesaid, came *John C. Post*

who is personally known to me to be the same person who executed the foregoing instrument of writing, and he duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my *Official* seal the day and year last afore written. *Wm C. Little Probate Judge*

Power of Attorney.

With power of Substitution and Revocation.

FROM

*John C. Post*

TO

*John C. Post*

STATE OF KANSAS, )

County, ) ss.

This instrument was filed for record on the *15th* day of *August* A. D. 187*4*, at *10* o'clock *A. M.*, and duly recorded in book *10*, on page *100*. Fee *10* Paid.

Register of Deeds.

It is a general rule that one acting under a Power of Attorney cannot execute for his principal a sealed instrument, unless the Power of Attorney be sealed.—"Palding's Treatise, p. 832; Id. 678. And where the Statute prescribes certain formalities and makes them requisite for the execution of an instrument, the power to make that instrument, must in general itself be executed under similar formalities.—Id.

Where a power is special, and the authority limited, the Attorney cannot bind his principal by any act in which he exceeds his authority. The authority of an Attorney is to be strictly construed; though it is to be taken to include all necessary means of executing it with effect. Hence a party dealing with an Attorney under a Power of Attorney of another, should look to the terms of the power to see that the authority given is sufficiently broad.

If a power prescribes any condition in its execution, it must be strictly pursued. Where a power is vested in several persons jointly, all should unite in executing it.

An Attorney, acting under a power, cannot delegate his authority or appoint a substitute, unless the power expressly gives authority to do so. A revocation of a power takes effect, as to an agent, from the time it is communicated to him as to third persons, from the time it is made known to them.

An Attorney, in a simple Power of Attorney, must act only in the name of his principal; in signing, should sign his principal's name, adding his own, thus A. B. by C. D. his Attorney.—"Palding's Treatise, p. 678; Id. 874.

Entered according to Act of Congress, in the year 1874, by CRANE & BYRON, in the office of the Librarian of Congress, at Washington.

CRANE & BYRON, Printers and Stationers, Topeka, Kansas.