

55. An indorsement is restrictive, which either :

1. Prohibits the further negotiation of the instrument ; or
2. Constitutes the indorsee the agent of the indorser ; or
3. Vests the title in the indorsee in trust for or to the use of some other person. But the mere absence of words implying power to negotiate does not make an indorsement restrictive.

56. A restrictive indorsement confers upon the indorsee the right :

1. To receive payment of the instrument ;
2. To bring any action thereon that the indorser could bring ;
3. To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

57. A qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse," or any words of similar import. Such an indorsement does not impair the negotiable character of the instrument.

58. Where an indorsement is conditional, a party required to pay the instrument may disregard the condition, and make payment to the indorsee or his transferee, whether the condition has been fulfilled or not. But any person to whom an instrument so indorsed negotiated, will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

59. Where an instrument payable to bearer, is indorsed specially, it may, nevertheless, be further negotiated by delivery ; but the person indorsing specially is liable as indorser to only such holders as make title through his indorsement.

60. Where the instrument is payable to the order of two or more payees or indorsees who are not partners, all must indorse, unless the one indorsing has authority to indorse for the others.

61. Where an instrument is drawn or indorsed to a person as "cashier" or other fiscal officer of a bank or corporation, it is deemed *prima facie* to be payable to the bank or corporation