

suits against
general and
special partners.

special partners, or any of them, are not liable to the writ of the plaintiff, the court may proceed to judgment or decree against the partners who may appear to be liable, in the same manner as if such partners were the only parties defendants to the writ; excepting that the partners who may be deemed not liable, shall recover their legal costs against the plaintiff, and such additional costs as the court may deem reasonable; and if a creditor shall have recovered against the general partners only, and shall afterwards discover that the special partners have become liable as general partners, he may file a bill in equity against the general and special partners for further relief against them; and in such proceeding, the judgment recovered as aforesaid shall be *prima facie* evidence of the amount due by the partnership as against the special partners.

Id. s 21
1836, c 97, s 21.
Dissolution,
how made

21. No dissolution of such partnership by the acts of the partners, shall take place previous to the time specified in the certificate of its formation, or in the certificate of its renewal, unless by death of one of the partners, or insolvency of the partnership, or until a notice of such dissolution shall have been filed and recorded in the clerk's office in which the original certificate was recorded and published, once a week for four weeks, in a newspaper printed in each of the counties or city where the partnership may have places of business, or by notice set up at some public place in each election district, in the cases provided for in the seventh section of this article, which publication may be proved by affidavit, and recorded as hereinbefore prescribed for the publication of the certificate for the formation of such partnership.

Id. s 22
1836, c 97, s 14
General part-
ners liable to
account
Fraud, how
punished.

22. The general partners shall be liable to account to each other, and to the special partners, for the management of the concern both in law and equity; and fraud of any partner shall be punished as prescribed by the article of this code, entitled Crimes and Misdemeanors and the Punishment thereof.
