

SEC. 17. *And be it enacted,* That every special partner who shall violate any of the provisions of the two last preceding sections, or who shall concur in or assent to any such violation by the partnership or by any individual partner, shall be liable as a general partner.

CHAP. 97.
Partners violating 15th and 16th section

SEC. 18. *And be it enacted,* That in case of the insolvency or bankruptcy of the partnership, no special partner shall under any circumstances be allowed to claim as a creditor until the claims of all the other creditors of the partnership shall be satisfied.

Case of Insolvency

SEC. 19. *And be it enacted,* That all suits respecting the business of such partnership, shall be brought and prosecuted by and against the general partners only, excepting in those cases in which provision is herein before made, that special shall be deemed general partners, and special partnerships, general partnerships, when all the persons so becoming general partners may be joined with those originally general partners, in any suit or suits brought against such partnership.

Case of suits

SEC. 20. *And be it enacted,* That if in any case a suit shall be brought against general and special partners, and at the trial of the cause, it shall appear that the 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 as against the plaintiff, and such other 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 of debt due by the partnership, as against the special partners.

Where special p. are deemed not liable

Case of recovery, and special partners found to be liable

SEC. 21. *And be it enacted,* That no dissolution of such partnership, by the acts of the partners, shall take place previous to the time specified in the certifi-

As to dissolution of P.