

REVISOR'S NOTE: This section presently appears as Art. 73, §4.

No changes are made.

10-105. NAME NOT TO CONTAIN SURNAME OF LIMITED PARTNER; EXCEPTION.

THE SURNAME OF A LIMITED PARTNER SHALL NOT APPEAR IN THE PARTNERSHIP NAME, UNLESS:

(1) IT IS ALSO THE SURNAME OF A GENERAL PARTNER;  
OR

(2) PRIOR TO THE TIME WHEN THE LIMITED PARTNER BECAME SUCH, THE BUSINESS HAD BEEN CARRIED ON UNDER A NAME IN WHICH HIS SURNAME APPEARED.

REVISOR'S NOTE: This section presently appears as Art. 73, §5(1).

The provisions of Art. 73, §5(2) are combined with the provisions of Art. 73, §§6 and 7 and placed in §10-106.

The only other changes are technical changes in punctuation.

10-106. LIABILITY FOR FALSE STATEMENTS IN CERTIFICATE; LIABILITY OF A LIMITED PARTNER.

IF THE CERTIFICATE CONTAINS A FALSE STATEMENT, ONE WHO SUFFERS LOSS BY RELIANCE ON THE STATEMENT MAY HOLD LIABLE ANY PARTY TO THE CERTIFICATE WHO KNEW THE STATEMENT TO BE FALSE :

(A) (1) AT THE TIME HE SIGNED THE CERTIFICATE;  
OR

(2) SUBSEQUENTLY, BUT WITHIN A SUFFICIENT TIME BEFORE THE STATEMENT WAS RELIED UPON TO ENABLE HIM TO CANCEL OR AMEND THE CERTIFICATE, OR TO FILE A PETITION FOR ITS CANCELLATION OR AMENDMENT AS PROVIDED IN §10-124 OF THIS TITLE.

(B) (1) A LIMITED PARTNER SHALL NOT BECOME LIABLE AS A GENERAL PARTNER UNLESS, IN ADDITION TO THE EXERCISE OF HIS RIGHTS AND POWERS AS A LIMITED PARTNER, HE TAKES PART IN THE CONTROL OF THE BUSINESS.

(2) A LIMITED PARTNER WHOSE NAME APPEARS IN A PARTNERSHIP NAME CONTRARY TO THE PROVISIONS OF §10-105 OF THIS TITLE IS LIABLE AS A GENERAL PARTNER TO PARTNERSHIP CREDITORS WHO EXTEND CREDIT TO THE