

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 16.
PARTICULAR ACTIONS, PROCEEDINGS
AND MATTERS.

CHAPTER 21.
JOINT CONTRACTS.

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CHAPTER 21. JOINT CONTRACTS.

§ 16-2101. DEFINITION OF JOINT AND SEVERAL CONTRACTS.

For the purposes of action thereon, a contract or obligation entered into by two or more persons, whether:

- (1) the persons are partners or joint contractors;
- (2) the contract is under seal or not;
- (3) it is written or verbal; or
- (4) it is expressed to be joint and several or not --

is deemed to be joint and several.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2101.

1973 Ed., § 16-2101.

§ 16-2102. DEATH OF PARTY TO THE CONTRACT.

If a person specified by section 16-2101 dies, his executors, administrators, or heirs are bound by the contract in the same manner and to the same extent as if the contract or obligation were expressed to be joint and several.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2102.

1973 Ed., § 16-2102.

§ 16-2103. EXTINGUISHMENT OR MERGER OF CAUSE OF ACTION.

Where, with respect to a contract specified by section 16-2101, an action is brought against:

- (1) all the parties thereto, but service of process is had on some, only, of the defendants; or
- (2) some, only, of the parties thereto, and service of process is had on them only --

a judgment against the parties so served does not work an extinguishment or merger of the cause of action on which the judgment is founded as respects the parties not so served. They shall remain liable to be sued separately.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2103.

1973 Ed., § 16-2103.

§ 16-2104. DEATH AFTER ACTION BROUGHT; LEGAL REPRESENTATIVES.

When one of several defendants in an action dies after the commencement of the action, his legal representatives may be made parties to the action as directed by Chapter 1 of Title 12.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2104.

1973 Ed., § 16-2104.

§ 16-2105. PROOF OF JOINT LIABILITY UNNECESSARY; JUDGMENT.

In actions ex contractu against alleged joint debtors it is not necessary for the plaintiff to prove their joint liability as alleged in order to maintain his action. He is entitled to recover, as in actions ex delicto, against such of the defendants as are shown by the evidence to be jointly indebted to him, or against one only, if he alone is shown to be indebted to him and judgment shall be rendered as if the others had not been joined in the action.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2105.

1973 Ed., § 16-2105.

§ 16-2106. SEPARATE COMPOSITION OR COMPROMISE.

Any one of several joint debtors when their debt is overdue, may make a separate composition or compromise with their creditors, with the same effect as is provided in the case of parties by Chapter 3 of Title 41.

(Dec. 23, 1963, 77 Stat. 585, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2106.

1973 Ed., § 16-2106.