

12. All actions of account or for not accounting, and suits for such accounts as concern the trade of merchandize between merchant and merchant, their factors and servants, shall be commenced, and sued within six years after the cause of such actions or suits, or when such cause has already arisen, then within six years after the passing of this Act; and no claim in respect of a matter which arose more than six years before the commencement of such action or suit, shall be enforceable by action or suit by reason only of some other matter of claim comprised in the same account, having arisen within six years next before the commencement of such action or suit.

Actions of account, &c., to be commenced within six years.

13. No person or persons who shall be entitled to any action or suit with respect to which the period of limitation within which the same shall be brought is fixed by the Imperial Act of the twenty-first year of the reign of King James the first, chapter sixteen, section three, or by any Act now in force in Upper Canada, shall be entitled to any time within which to commence and sue such action or suit beyond the period so fixed for the same by the enactments aforesaid, by reason only of such person or some one or more of such persons being at the time of such cause of action or suit accrued without Upper Canada aforesaid, or in the cases in which, by virtue of any of the aforesaid enactments, imprisonment is now a disability, by reason of such person or some one or more of such persons being imprisoned at the time of such cause of action or suit accrued.

Limitation of actions not to be affected by absence from U. C., &c.

14. Where such cause of action or suit, with respect to which the period of limitation is fixed by the enactments aforesaid, or any of them, lies against two or more joint debtors, the person or persons who shall be entitled to the same shall not be entitled to any time within which to commence and sue any such action or suit against any one or more of such joint debtors who shall not be without Upper Canada, at the time such cause of action or suit accrued, by reason only that some other one or more of such joint debtors was or were at the time such cause or action accrued without Upper Canada.

As to cases where some of Joint Debtors have been within and some without U. C.

15. And such person or persons so entitled as aforesaid shall not be barred from commencing and suing any action or suit against the joint debtor or joint debtors, who was or were without Upper Canada at the time the cause of action or suit accrued, after his or her return to Upper Canada, by reason only that judgment was already recovered against any one or more of such joint debtors, who was not or were not without Upper Canada at the time aforesaid.

The same.

16. In reference to the provisions of the Consolidated Statutes for Upper Canada, chapter forty-four, an acknowledgement or promise made or contained by or in a writing signed by the agent of the party chargeable thereby, duly authorized to make such acknowledgement or promise, shall have the same effect as if such writing had been signed by the party himself.

Cons. Stat. U. C., c. 44 explained, as to signatures by agents.

17. This Act shall apply to Upper Canada only.

Act limited to U. C.