

And the discharge of the surety, co-contractor or co-debtor shall not be pleadable in bar of any suit or other proceeding by the creditor.

VI. No acceptance of a bill of exchange, whether inland or foreign, made after the 31st day of December next, shall bind any person, unless the same is in writing on the bill (or on one part thereof if there is more than one part of the bill,) and is signed by the acceptor or some person authorised by him.

An acceptance must be in writing on the Bill.

VII. Every action of account or other suit for any such 'account as concerns the trade of merchandize between merchant and merchant, their factors or servants,' shall be commenced within six years after the accruing of the cause of the action or suit, or in case the same has already accrued, then within six years after the passing of this Act;

Limitation in actions of account.

And no claim in respect of a matter which arose more than six years before the commencement of the suit, shall be enforceable by reason only of some other matter or claim comprised in the same account, having arisen within six years before the suit.

VIII. No person entitled to bring a suit, the period for bringing which is limited by law, shall henceforward be entitled to an extended time for bringing the same, by reason only of his having been beyond seas, or out of Upper Canada, or imprisoned, at the time the cause of action arose, except in the cases provided for by the 28th section of the Real Property Act, passed by the Parliament of Upper Canada in the fourth year of the Reign of His late Majesty, King William the Fourth, and chaptered one.

Time for bringing a suit not to be extended by reason only of the plaintiff's absence or imprisonment when cause of action accrued.

IX. Where there is a cause of action against two or more joint debtors, and one of the debtors is, and the other is not, beyond seas or out of Upper Canada when the cause of action accrues, the absence of the one shall not extend the time for commencing a suit against the other; and a judgment recovered against the one not so absent shall be no bar to a suit against the other after his return.

Absence of one joint debtor shall not extend time for suing the other when not absent.

X. For the purpose of extending the period limited by law for bringing a suit, an acknowledgment or a promise contained in writing, signed by an agent of the party chargeable thereby, duly authorised to make such acknowledgment or promise, shall have the same effect as if the writing had been signed by the party himself.

To extend time for bringing suit written acknowledgment through agent to be as effectual as if signed by party himself.

XI. The 313th, 314th, and 315th Sections of the Common Law Procedure Act, 1856, and the 9th Section of the County Courts Amendment Act, 1857, shall be deemed incorporated with this Act, as if the provisions therein contained had been repeated in this Act and expressly made to apply thereto.

Certain clauses of the Common Law Procedure Act to apply to this Act.

XII. This Act applies to Upper Canada only.