

separate charge and a separate trial for every distinct offence, by allowing three charges of three distinct offences of the same kind and committed within one year of each other to be tried at the same time; but this does not mean that, if at one time or within one year a man commits fifty distinct offences of the same kind, he shall not in one day be prosecuted for more than three such offences. This is clear from illustration (b), s. 454.

1878
 EMPRESS ON
 THE
 PROSECUTION
 OF RAM
 MANIKYA
 CHAKROBUTTY
 v.
 DONOJOY
 BARAJ.

ORIGINAL CIVIL.

Before Mr. Justice Pontifex.

PESTONJEE EDULJEE GURDUR v. MIRZA MAHOMED ALLY
 AND ANOTHER.

1878
 April 8.

*Practice—Joinder—Suit against Drawer and Acceptor of a Bill—Civil
 Procedure Code (Act X of 1877), s. 29.*

The drawer and acceptor of bills of exchange can be joined as co-defendants in a suit brought by the holder of such bills.

THE plaintiff, as holder of certain bills of exchange drawn and accepted in Calcutta on 17th February 1877, sued the drawer and acceptor thereof to recover the amount due on the bills.

The defendants had not entered appearance, and the case, accordingly, came on as undefended. Notice of dishonour was duly proved.

Mr. *Trevelyan*, for the plaintiff, referred to Byles on Bills, 12th ed., p. 407, and s. 29 of the Code of Civil Procedure, as authority for the joinder of the drawer and acceptor as defendants in the same action.

PONTIFEX, J., was of opinion, that s. 29 permitted such a joinder, and gave a decree for the amount due under the bills against both the defendants.

Case decreed.

Attorneys for the plaintiff: Messrs. *Trotman and Watkins.*